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The Washington Monthly

SEPTEMBER 2002

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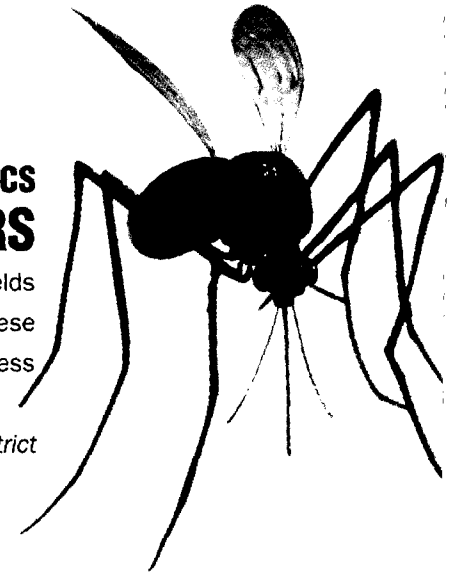
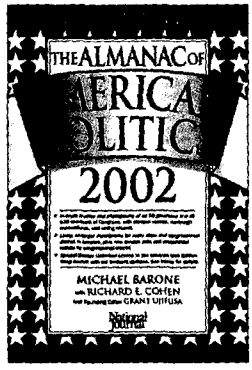
—*The Almanac of American Politics on New Jersey's 2nd Congressional District*





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Letters

Between Iraq And a Hard Place

On the whole, Joshua Micah Marshall ("Bomb Saddam?" June) offers a valuable analysis of the debate over whether to invade Iraq. Nevertheless, he may be giving too much credit to the "ideologues [who] have turned out to be right."

First, Reagan is given the standard credit for winning the Cold War. Yet, three paragraphs later, Marshall states the crucial truth—that in the 1970s the Soviet Union was "already headed for collapse, and its downfall had more to do with its own terminal rot than anything America did." In short, Reagan's wild military spending (encouraged by the CIA's Team B, led by the first Bush) coupled with tax cuts was not merely useless but devastating for the American economy in general and for civilian infrastructure in particular.

Second, George H. W. Bush obeyed Colin Powell in the Gulf War and left Saddam in power. Score another for the ideologues. Yet Marshall quite properly devotes much of his article to showing how predictions of an easy stroll into Baghdad are predominantly made by logic-chopping civilians who avoided military service. Why, then, are we so sure that that the ideologues were right at the time and Powell was wrong?

The third triumph of the ideologues is less easy to refute, and will continue to be so until much more scholarly analysis emerges of the Balkan wars during the 1990s. But I suspect it will become clear that Clinton moved from caution to bombing not because he listened to the neocons, but because Croatian victories isolated Serbia and made American intervention less unilateral.

Marshall's article is damn good. I just wish he hadn't spent the first five paragraphs clearing his throat.

DOUGLAS SCOTT
Norwalk, Conn.

Joshua Micah Marshall made a very common error in stating that Iraq expelled UNSCOM weapons inspectors in 1998. In fact, the inspectors were withdrawn by the United States so that they would not be victims of Operation Desert Fox. Afterward, Iraq refused to readmit the inspectors who had been shown to be harboring U.S. spies.

WILLIAM COX
Morgan Hill, Calif.

In the Zone

John Gould ("Zone Defense," June) argues that "drug-free" school zones which engulf entire cities have done little other than contribute to racially disproportionate incarceration rates. Government statistics support Gould's argument. Blacks and whites use drugs at roughly the same rates. Although only 15 percent of the nation's drug users are black, blacks account for 37 percent of those arrested for drug violations, more than 42 percent of those in federal prisons for drug violations, and almost 60 percent of those in state prisons for drug felonies. Support for the failed drug war would end overnight if white suburbanites were incarcerated for drugs at the same rate as minorities.

But racially disproportionate incarceration rates are not the only cause for alarm. Prisons transmit violent habits and values rather than reduce them. Putting non-violent drug offenders behind bars with violent criminals is a dangerous proposition. Minor drug offenders are eventually released, with dismal job prospects due to criminal records. Turning recreational drug users into unemployable ex-cons is not a good use of tax dollars. At present there is a glaring double standard in place. Alcohol and tobacco are by far the deadliest recreational drugs, yet the government does not go out of its way to destroy the lives of drinkers and smokers. Imagine if every alcoholic were thrown in jail and given a permanent criminal record. How many lives would be destroyed? How many families torn apart? How many tax dollars would be wasted turning potentially productive members of society into hardened criminals?

ROBERT SHARPE, M.P.A.
Program Officer, Drug Policy Alliance

Snobbery Is as Snobbery Does

Joseph Epstein ("In a Snob-Free Zone," June) will never be admitted to my snob-free zone. He, to say the least, uses an unfortunate choice of words to describe the music of the gifted Henry Mancini when he writes, "Listening to the great Chicago Symphony play the movie and television music of Henry Mancini felt to me like getting into a Rolls-Royce to drive around the block to take out the garbage." I, too, have heard "great" classical orchestras and singers try their hand at popular music. To me it feels more like using a steam shovel to lift a peacock feather.

BILL FALCONER
Fearrington Village, N.C.

Low Blow

Jeff Greenfield's otherwise entertaining review of Anthony Everitt's *Cicero* ("Low Roads Lead to Rome," June) is marred by an unfortunate error. He writes: "Much of Cicero's public life appears to have been spent imitating King Canute, seeking to roll back the tide of disorder by preaching the virtues of Republican rule"—thus once again maligning poor old Canute.

Canute, in fact, showed the limitations of royal power to his starstruck advisers, by commanding the incoming tide to turn back to demonstrate the fallibility of kings and men, not their omnipotence.

ALEX MASSIE
Edinburgh, Scotland

Not Such a Dark Horse

I think eyes looking for a dark horse candidate for the next pope should look to Theodore Cardinal McCarrick of Washington, D.C. ("Pope Hopefuls," June)

Although an American, which almost completely rules against his being elected, McCarrick comes with

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very strong credentials: He is a holy and compassionate man with great concern for the poor: Witness his travels to Central America to help the downtrodden. He is a man who speaks five languages fluently. He has been pastor of one of the poorest dioceses in the United States—Newark—before assuming the head of the Washington archdiocese. At 70, he is also the right age—not too young, not too old, which would preclude another extremely long papacy. He is also a humble man who mixes well with any group of people. He is a workaholic, a necessity for any pope. He is also an excellent spokesman for the American cardinals and his visibility has been heightened by the recent pedophilia scandals.

Cardinal McCarrick is the only American who fits all the parameters for what the church needs at the present time.

JOHN RUSNAK
Sunny Isles Beach, Fla.

Aftershocks

Oh, dear. For years I have been urging *The Washington Monthly* to look farther than the Mississippi River for some of your material. Then when you do, to my chagrin, it is to print that regrettable memo about our [Washington state] Senate dining room, which has been closed to repair earthquake damage ("Memo of the Month," June). Lest you think we are a bunch of selfish idiots out here, most of the signers did not read the memo first and immediately regretted not doing so. Even the perpetrator decided it had been a bad idea. Everyone else in the state was, as you can imagine, outraged. The whole hoo-ha lasted about five minutes. (Would that all results of leaders not reading what they sign be so inconsequential.)

ANN BJORK
via email

We Break For Cars

Tyler Cabot ("The Tow-Away Tax Break," June) concludes that "with each car towed in the name of charity, donors benefit greatly, fundraisers obscenely, and the poor only occasionally." However, this is not always the case. The Working Cars for Working People program of Community Action Inc. in San Marcos, Texas, is a prime example of a car donation program that really works. One-hundred percent of the benefit of the program accrues directly to the low-income family that receives a car through the program.

Unlike the programs Mr. Cabot describes, Working Cars for Working People does not aim to raise funds for the not-for-profit organization that operates it. Rather, it aims to provide poor people who are ready and able to work with the transportation they need to gain and keep employment. In November and December of 2001, the program provided working cars to 23 families. Within 30 days of receiving a car, 65 percent of the recipients reported increased earnings from work, 57 percent obtained health insurance through their employer, and 44 percent left the Temporary Assistance for Needy Families program.

The government and the taxpayer benefit because the value of the car recipients' decreased reliance on taxpayer-supported social programs far outweighs the value of the donors' tax deductions, and the not-for-profit-agency, Community Action Inc., wins because it accomplishes its mission, which is to promote opportunities for low-income people to succeed.

There are many unscrupulous fundraisers in the car donation business. But not all car donation programs are shams or scams, and any limitation on the car donation tax deduction would significantly hurt programs that help poor people. If any of your readers in the Austin-San Antonio corridor would like to donate a car, get a nice tax break, and sleep well at night, they can give us a call. They might even see their old car commuting back and forth to work in the near future.

Jon Engel
Community Development Director,
Community Action Inc.,
San Marcos, Texas

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Tilting at Windmills

BY CHARLES PETERS

My Favorite Gays • The Grand Conspiracy • Cutting the Tax Cut
Minutes Men • Nixon's Godless Justice • David Rockefeller, Family Farmer

"QUEER" IS NOW THE TERM favored by gay men and lesbians, according to Holland Cotter of *The New York Times*. The trend has been going that way for at least a decade. I hope it continues. I have no opinion about the word "queer," but I'd love to see "gay" restored to its previous meaning, as in the title of the 1940s book by Cornelia Otis Skinner and Emily Kimbrough, *Our Hearts Were Young and Gay*. What a delightful word it was and how good it would be to have it back. Of course, my favorite gays are the blithe spirits for whom that word will always be perfect.

AS WE COMMEMORATE THE anniversary of 9/11 this month, you might be curious to know why the joint congressional committee charged with looking into the intelligence failures have made such modest progress. One reason may be the man who is in charge of investigating the FBI for the committee. He is Thomas A. Kelley, a former deputy general counsel of the FBI, whose skills seem more suitable to concealing the facts than to ferreting them out. As the bureau's contact for former Sen. John Danforth's investigation into Waco some years ago, he "continued to thwart and obstruct" the investigation. "This non-cooperative spirit was at the specific direction of Kelley," according to an internal FBI memo obtained by Sen. Charles Grassley (R-Iowa), and reported by Richard Leiby and Dana Priest of *The Washington Post*. The memo concludes that Kelley had displayed "unprofessional conduct, poor judgment, conflict of interest, hostile work environment, and retaliation/reprisal" during the Waco investigation. Of course, it is possible that some brilliant congressmen—10 lashes for the first reader who says "oxymoron!"—were acting on the enduring truth that it takes one to know one.

LAST SUMMER, THE FBI DECIDED it needed someone to reform its record-keeping. After all, the bureau had been embarrassed by having to confess that it had misplaced thousands of documents in the Timothy McVeigh case. Guess who was hired to straighten out the mess? Arthur Andersen.

UNDER THE FARM BILL CONGRESS passed in May, some interesting "farmers" will continue to receive subsidies. David Rockefeller is now getting $352,187; Ted Turner, $176,077; and NBA star Scottie Pippen, $131,575, according to George Archibald of *The Washington Times*, who adds that the top 10 percent of farm owners receive two-thirds of the subsidy money, while the bottom 80 percent get just one-sixth of the total.

IT WAS HEARTENING TO SEE THE tough Sarbanes bill emerge largely unscathed from the House-Senate conference, as frightened Republicans, including W. himself, hopped aboard the corporate-reform train before it left the station. Unfortunately, we have to report that lobbyists got a couple of last-minute changes made that weakened two provisions. One was the requirement that board chairmen, as well as CEOs and CFOs, certify personally their company's financial statements. Now the board chairmen are off the hook. Why? Their reputation is part of the corporate image the public relies on when it invests. If they let their reputation be misused, why shouldn't they pay the price?

The other change involved a provision that held corporate officials liable not just for knowingly and willfully misstating company financial results, but for recklessly doing so. The second change left out "recklessly." As a former lawyer, this strikes me as the more serious omission. Corporate fraud is notoriously hard to prove. These guys are usually very smart and very skilled at not leaving smoking guns behind. The "reckless" standard means a prosecutor can get them even if he doesn't have the smoking gun but still has facts that so stink up the courtroom that any reasonable jury will know that the corporate official is guilty.

DEMOCRATS WERE THE MAIN opponents of the administration's attempt to give the Homeland Security Agency more power to fire poor performers than civil service rules now allow. The party's automatic genuflection to the public employees' unions is one of its great embarrassments. It puts Democrats in the position Republicans usually occupy as roadblocks to reform. If public institutions, from schools to government agencies, are really going to improve, we've got to be able to get rid of the time-servers and incompetents. Of course, Democrats have some basis for fearing a Republican administra-

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tion will misuse this authority and get rid of the wrong people, meaning the good guys. But instead of denying the administration the authority it needs to do a good job, the Democrats and the media should be vigilant in exposing abuse of that authority.

ISN'T IT TIME TO FACE THE FAILURE of the Bush presidency? As Joshua Micah Marshall makes clear in this issue ("Confidence Men," p. 10), Bush's tax cut was based on fantasy projections. His monomaniacal focus on Iraq kept him from turning to Israel and Palestine until they were already burning. And then his bungling efforts were absurdly inadequate to deal with the fire. His record on protecting the environment is pathetic. He was perilously late in waking up to the danger posed by the series of corporate scandals that threatened to engulf world markets; and he remained steadily behind the curve in proposing remedies. He and his vice president, Dick Cheney, may have been blinded by their own participation in what Bush coyly calls "the gray area." They both made large sums from the sale of stock in companies, Harken and Halliburton, which headed down just a few months later. It is ironic that Bill Clinton never made a dime from Whitewater, yet an independent counsel was deemed necessary to investigate the non-scandal.

Ken Starr, a Republican, was appointed by a panel led by a Republican judge, David Sentelle, just a few weeks after the judge had lunched with two Republican senators, Jesse Helms and Lauch Faircloth, notorious Clinton-haters to whom he was much indebted. So you might say the fix was in against Clinton. The fix was in the other way when the SEC whitewashed Bush's windfall. The commission was then headed by Richard Breeden, a friend of Bush's father, who had given him the job. The SEC's general counsel had been the lawyer for W. and his pals in the sale of the Texas Rangers that netted the future president a return of $15 million on an investment of $600,000. And guess how Bush got the money to make that investment? From that sale of his Harken stock.

COLUMNIST MATT MILLER HAS an interesting question about the Harken sale. Who was the mysterious buyer who was willing to pay such a generous price for the stock? The broker involved won't tell. If an independent counsel was needed for Whitewater, why not for Bush's deals? Of course, I'm not serious. I think the Whitewater investigation was crazy and this would be the same—only, you have to admit, less so.

Isn't it time to face the failure of the Bush presidency?

SPEAKING OF BUSH'S TAX CUT, a considerable amount of its harm can still be avoided if Congress would repeal the provisions that have not yet taken effect. This would be less politically dangerous than enacting a new tax because it takes away no benefit that the taxpayer now has.

A similar opportunity occurred in 1987, when senators woke up to the fact that the 1986 tax cut was going to produce big-time deficits. The Senate Finance Committee came within a whisker of eliminating the next round of reductions scheduled to take effect in 1988. Their failure to seize that opportunity and the crippling deficits that resulted should encourage Congress to seize this last chance to prevent another disaster.

FOR ME, THE MOST DELICIOUS aspect of the Bush scandal involves the missing minutes. "You need to look back on the directors' minutes," Bush told a White House press conference in answer to a question about whether he knew about a Harken transaction that prompted the SEC investigation. But then, when reporters asked about the minutes, Dan Bartlett, Karen Hughes's successor, told them, "These are company documents. I can't release something I don't have." Hughes had said the same thing when the issue arose during Bush's 1994 gubernatorial campaign, according to *The Washington Post*'s Dana Milbank. Of course the White House could ask Harken to release the minutes. But it has not done so. According to Frank Rich of *The New York Times*, Harvey Pitt has said he would release the SEC's record of the Harken investigation if the White House asks. But again, the White House has been overcome by shyness and not asked.

IN THE EVENT YOU MISSED THIS nugget, the opinion in the case that took God out of the Pledge of Allegiance—an opinion that was widely condemned as another example of liberal judges run amok—was written by Alfred T. Goodwin, who was appointed to the bench by none other than that old lefty Richard Milhous Nixon.

I WISH THE ISRAELIS HAD, IN their relations with the Palestinians, imitated our policy of generosity to Germany and Japan after World War II. That policy turned violent enemies into lasting friends. I wish Palestinians had followed the example of Mahatma Gandhi and practiced nonviolent resistance. I think this would have made the Israelis feel guilty, just as it did the British in India. But my wishes haven't come true. So what should be done now? Israel should, instead of enlarging its West Bank settlements, start cutting them back, with each step it takes rewarded by a diminution of violence from the Palestinians. I really think this

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could bring peace. But I have to admit that there are loose cannons on both sides who don't want peace, who either won't accept a Palestinian state or refuse to recognize Israel's right to exist. Each side must recognize the other has these people and try not to let them derail peace as they have so often done in the past. You say it can't happen? But look at Northern Ireland. It appears—my fingers are crossed—to have happened there in a conflict that was equally bitter.

Guess who the FBI hired to straighten out its record-keeping? Arthur Andersen.

TOM KEATING IS A CRUSADER. His cause—cleaning up the restrooms in America's schools—may be a bit unusual, but I must say I admire it. Robert Tomsho, a reporter for *The Wall Street Journal*, recently followed Keating through a visit to a men's room in Redan High School in Decatur, Ga.

"Paper towels littered the floors, doors were missing from two stalls, and one toilet hadn't been flushed in who knows how long. Another issue, no toilet paper."

If you've visited more than a few schools, you know this picture is not atypical. "This is what I see wherever I go," says Keating. "If a school can't do a simple thing like have soap in a dispenser, how can it hope to teach students self-respect or inspire them to greater achievement?"

IF YOU WONDER HOW LOBBYISTS win the goodwill of powerful Washingtonians, consider the following: "13 Democratic senators flew on corporate jets from Washington to Nantucket for a weekend retreat with 250 major campaign donors," reports *The Washington Post*'s Thomas B. Edsall. The jets were supplied by BellSouth, Eli Lilly and Co., FedEx, and AFLAC. Seven Republican senators were flown in corporate jets to the Greenbriar resort in White Sulphur Springs, W.Va., "for a weekend of golf, tennis, and skeet shooting with major campaign contributors," according to the same paper's David Von Drehle. The GOP jets were supplied by U.S. Tobacco, Anandarko Petroleum, and the bipartisan FedEx.

YOU'VE READ THE STORIES about doctors closing their practices because of skyrocketing premiums for malpractice insurance. Well, *The Wall Street Journal*'s Rachel Zimmerman and Christopher Oster have looked into the reasons for the higher rates and found some surprising facts. One reason the companies need to charge higher premiums is that they charged too little in the early 1990s as they pursued malpractice business because of an accounting gimmick that made it seem more profitable than it really was. So the increased premiums are partly a response to their own error.

Another justification the insurance industry gives for the higher premiums are statistics from Jury Verdicts Research, Inc. that show that awards in malpractice cases rose 175 percent from 1994-2000. But here's the catch: The statistics do not take account of malpractice victories by doctors, the cases where no damages were paid. Furthermore, the *Journal* reports, the Jury Verdicts Research data collection is unsystematic. It can't say how many cases it misses. Still another factor is the problem uncovered by the *Charleston Gazette*'s investigation of malpractice in West Virginia a few years ago. It is that just a handful of doctors cause most of the malpractice problems. If companies had checked their records and refused to insure them, it would not be necessary to raise the premiums for doctors with good records.

ON 9/11, DOWNTOWN TRAFFIC in Washington came to a standstill. Officials promised it wouldn't happen again. But on June 19, points out Steven Cole in a letter to *The Washington Post*, a bomb scare at the Federal Reserve caused similar gridlock. It is not comforting to imagine what it will be like when a bomb actually explodes. How are people going to be evacuated? How are ambulances going to be able to reach victims and rush them to the hospital? One has the dismaying sense that plans for dealing with another 9/11 are really not much further along than they were that day.

CONTRADICTORY HEADLINES OF the month: "Students Increasingly Favor Government Work, Study Finds," from *The New York Times*. And "Work for Government? College Students Say No," from *The Washington Post*. Both stories are based on a survey conducted by Penn, Schoen, and Berland Associates. Each emphasized the same statistic, that just over 40 percent of college students say they would consider a career in government. But I think the *Post* was closer to the truth because its story went on to report a survey finding that two-thirds of the recipients had said that government hiring was based on "who you know" and that it was "difficult to locate and apply for a federal job." A majority also said they wouldn't wait more than a month to find out if they had been hired. This magazine has repeatedly written about how hard it is to find out about government jobs, and how long applicants have to wait to learn if they are accepted. I was surprised that the students thought employment depended on "who you know." Actually, they're right, but they probably are thinking of political patronage, when the real problem is the buddy system

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under which civil servants tailor jobs for colleagues and friends.

THE GOOD OLD DAYS OF EXPENSE-account high living may be coming to an end, as one company after another cracks down on the fun, some even insisting that executives fly coach. What may have been the last gasp of the old order occurred a year ago at Petrus, a super-pricey London restaurant. In case you missed the story, five bankers from Barclays started out modestly with six glasses of champagne for $80. They then ordered a bottle of 1984 Montrachet at $2,000, three bottles of Chateau Petrus—the 1945, '46, and '47 vintages—at prices of $16,500, $13,400 and $17,500, topping it all off with a 100-year-old bottle of Chateau d'Yquem at $13,100, for a total tab of more than $60,000. Their reward? All but one has been fired. The other guy must be a hell of a rainmaker.

MEDICAL DEVICES, FROM HIP replacements to diagnostic cameras that can be swallowed, have become a giant business that generates $78 billion a year. Yet the FDA division that regulates them, the Center for Devices and Radiological Health, has only 880 employees, down from 998 just six years ago. The result is that the time required for approval of a new device has grown to 411 days, reports *The Washington Post*'s Marc Kaufman, who adds that manufacturing plants for medical devices and diagnostic tests are now inspected on the average of once every five years, rather than the once every two years required by regulation. What is the Bush administration's solution? It is to give the companies the power to hire their own inspectors. A new job for Arthur Andersen? Seriously, why not give the FDA enough money to do the job right?

HALLIBURTON MAY BE BAILED out, thanks to business generated by its subsidiary, Kellogg, Brown & Root, which is raking in big bucks from such war-on-terrorism projects as constructing detainees' cells at Guantanamo Bay and by feeding American troops in Uzbekistan, according to Don Van Natta Jr. and Jeff Gerth of *The New York Times*. Those whose memories go back to the '60s will recall that Brown & Root was a major builder of American bases in Vietnam. The firm had long enjoyed the close relationship with Lyndon Johnson that it has more recently had with Dick Cheney. Maybe it is one grand conspiracy after all.

ONE OF THE EXCUSES PRIVATE pilots give for the kinder, gentler treatment they receive from Congress and the FAA is, well, after all, if we crash, we only kill ourselves. This was unfortunately not the case in San Dimas, Calif., when a private pilot crashed his plane into a crowd of families picnicking on the Fourth of July. According to The Associated Press, three people on the ground were killed—a 12-year-old girl, a 15-month-old boy, and an adult. Twelve people were injured.

NOW THAT WE KNOW THAT ALL of the Big Five accounting firms were involved in flim-flam—if you're in doubt, see the article in *The Washington Post* Outlook section, "Just a Few Rotten Apples?," by Lynn Turner, a former chief accountant for the SEC—it's time to consider the possible effects of cooked books outside the realm of corporate finance. Take its impact on tax collection. In Wisconsin, corporate tax collection has dropped every fiscal year since 1994-95, according to the *Milwaukee Journal Sentinel*. Two of the state's largest companies paid no income tax at all in 2000. All this happened before the recent recession, when the economy was still roaring along. "Most companies," says a former state revenue official, "hire very smart people." The sad truth is that many of the state officials who review their returns are somewhat less swift. Exotic accounting tricks are thus unlikely to be spotted. And, of course, many of them are quite legal. Take one device used by Wisconsin corporations that is, I suspect, not unexploited in other states: A corporation will transfer its name, slogan, or logo to a subsidiary in another state, then it will pay a royalty to the subsidiary for use of the intellectual property. That royalty is then deducted from its Wisconsin corporate tax. Just this one technique "can translate into millions," an accountant told the paper. Think of what the explosion of similar creative accounting must have done to tax revenues all over the country.

THE STATE DEPARTMENT RECENTLY honored the late Hiram Bingham IV for his role in giving visas to Jews during World War II while he was serving as a foreign service officer in Marseilles when the Vichy government was in power from 1940-42. This was a time when the State Department was anxious to pursue relations with Vichy and when it was also under the influence of anti-Semites like the infamous Breckenridge Long. So Bingham was undercutting his bosses when he issued more than 2,500 visas to Jews desperate to escape the Nazis, according to *The Washington Post*'s Peter Slevin, to whom I'm indebted for these facts. Bingham even hid Jews in his home and helped them with travel and disguises. His reward, according to Slevin, was that he "was transferred and soon made unwelcome in the foreign service." This is a haunting reminder of how hard it often is to do the right thing in government, of how much courage it takes, and of the reward that may only come when you're in the grave, if then. That is why, while I often criticize the sluggards and incompetents in government, my admiration for the good guys is boundless.

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As the World Burns

What will global warming do to the Bush ranch?

BY STEPHANIE MENCIMER

IN APRIL, WHEN BRITISH PRIME MINISTER Tony Blair went down to Crawford, Texas, to powwow with George W. Bush, the cowboy president couldn't wait to show off his brush-clearing skills and drive Blair around his 1,600-acre Prairie Chapel ranch. Nature had other ideas. Instead of enjoying the usual balmy spring weather, Crawford was inundated with rain, including an unusually severe thunderstorm and hail the size of golf balls, that forced the prime minister to stay indoors for pecan pie. Blair had to drive to the nearest airport to depart rather than taking the official chopper.

The Rev. Larry Wood, a self-proclaimed Internet evangelist who tracks the "divine viewpoints" of various weather events, declared the freak storm a curse on the president for his failure to support Israel. (Bush had recently criticized Ariel Sharon.) Others drew an alternate explanation for the odd weather: global warming. But that possibility apparently seemed as remote to Bush as the likelihood that the storm was a sign from God. Shortly afterwards, Bush proposed easing enforcement of clean air regulations for the nation's dirtiest power plants, the country's primary producers of greenhouse-gas emissions. By easing up on such emissions, Bush may be endangering the one place where he actually seems to care about the environment: his Crawford ranch.

In 1999, even as he was dismissing conservation measures for the rest of the country, Bush was building rainwater collection systems and passive solar designs into his ranch house. While his own kids have questioned the sanity of wanting to vacation in a place whose most famous area neighbor is the Branch Davidian compound, the president goes to Crawford every chance he gets. He likes nothing better than to harness up the Jeep and drive foreign dignitaries around the ranch to point out the native wildlife among the oak groves (although Vladimir Putin's November tour was also washed out).

But the wildlife that Bush so enjoys is imperiled by unchecked global warming. Because of its topography, Texas is second only to California among the states likely to be the hardest hit by climate change. "What George Bush seems to be oblivious to is that global warming promises to make a lot of trouble for this state," says Peter Altman, director of the SEED project, an environmental group in Austin.

Bush's security people may be able to cordon off Prairie Chapel from the rest of the world, but they're powerless against the planetary alterations threatening to attack several precious features of the Bush ranch. Here's a primer:

Cow Genitals: The president is one of Crawford's "gentleman ranchers," who raise cattle for fun (and tax breaks). His spread claims 200 head of cattle that ruminate peacefully on the ranch's former cotton fields. But that bucolic scene might disappear if, as predicted, maximum summer temperatures in Texas increase by three to seven degrees over the next century. While three degrees might not seem like much, consider that the average July high temperature in Crawford is already 97 degrees, and that it's not unusual for Crawford to have 30 days of unbroken 100-degree weather in the summer. That kind of heat puts cows at risk of, well, having their 'nads cooked. Not only can high temperatures reduce semen quality and libido in bulls, but it can reduce fertility in cows as well.

Retirement Porch Swing: One of the Bush ranch house's most endearing features is its wrap-around porch that has room for many swings and rockers for George and Laura, who plan to retire to Crawford. But a projected 10- to 25-degree increase in the July heat index may well render the porch uninhabitable, as the heat's deadly to the elderly and people with bad tickers, meaning Dick Cheney

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will probably have to skip Bush-administration reunions.

Fake Bass Pond and Middle Bosque River: When he's not planning the invasion of Iraq, Bush enjoys casting a fly rod over the nine-acre fishing pond he had built and stocked with bass. But over the next century, precipitation in Texas could decrease by 5 to 30 percent in the winter and increase by about 10 percent in other seasons. So even as the summers get soggier, Texas stream flows could plummet by 35 percent, leaving the ranch's stretch of the Middle Bosque River little more than a trickle. That climate also creates perfect conditions for fish-killing oxygen depletion in the bass pond.

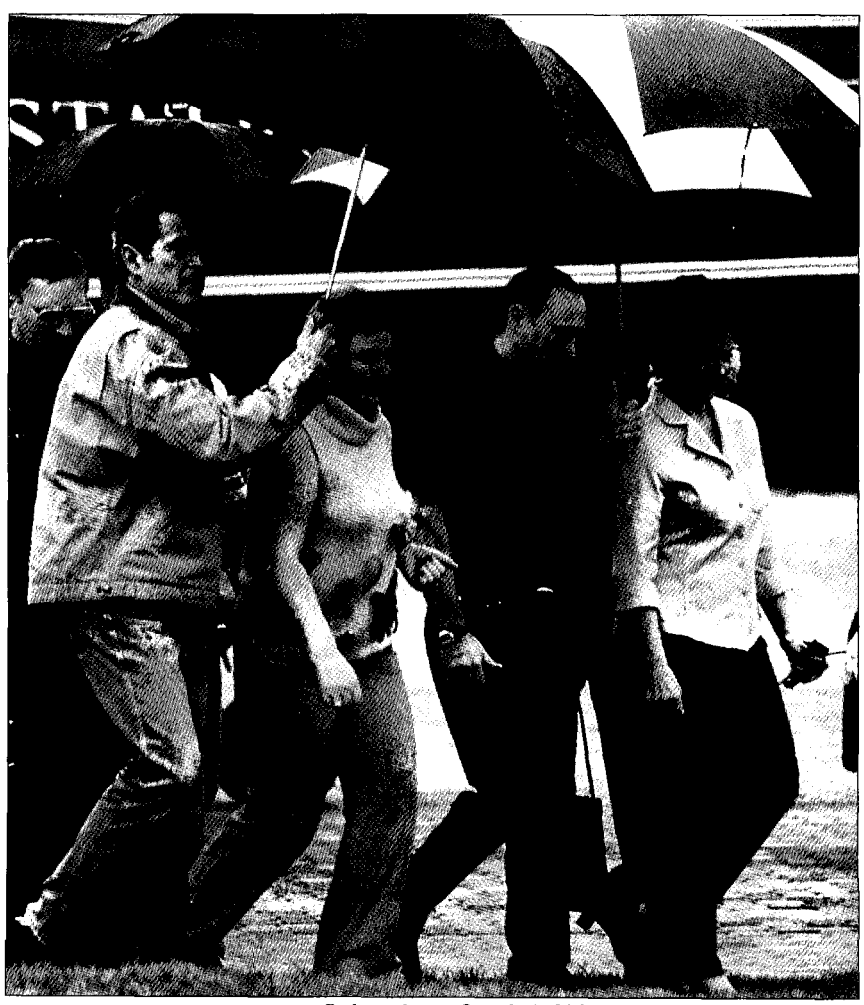
The "Whining Pool": Bush daughters Jenna and Barb begged Dad to install a pool for them at the ranch, which he subsequently dubbed "the whining pool." Water shortages and heat-related evaporation could put an end to late-night skinny-dipping, making it even harder for Bush to lure the twins down to the ranch for summer visits. (Crawford is, after all, a dry town.)

Spotty and Barney: The predicted combination of higher nighttime temperatures plus more humid summers is the perfect recipe for a Texas bug fest. Visiting dignitaries could include thriving colonies of red fire ants, blood-sucking flies, and disease-carrying mosquitoes—pests that Crawford residents are already all too familiar with. "We have not had a sufficient winter in nine or ten years," admits Crawford mayor Robert Campbell. "It would help our ant problem."

Like much of Texas, Crawford has been inundated by imported red fire ants, which have no native predators and have been known to eat through electrical wiring and kill small cute animals. Experts predict the heat-loving ants will continue marching at a furious pace, potentially devouring Prairie Chapel's deer and baby quail—not to mention the unsuspecting reporters Bush likes to drag through the brush (although the president might not object to fire ants swarming up Adam Clymer's pants).

Laura's Flower Beds: W. has complained about armadillos plundering his wife's flower beds, but they're no match for grasshoppers, which stand to thrive in a new warmer world. Already, a string of warm winters and summer droughts have created perfect breeding conditions for the voracious vaulters, which have chowed their way through thousands of acres of Texas pasture over the past four years. The presence of the Secret Service hasn't spared Crawford from the plague. "The grasshopper problem is pretty bad," says Stacey Driver, who works at the Crawford Station convenience store, which doubles as the Crawford Chamber of Commerce. In a warmer future, grasshoppers could turn the Prairie Chapel ranch into a post-apocalyptic Alamo, with little greenery besides those pesky water-guzzling cedars Bush is always chopping down.

With all the predicted plagues of locusts, floods, and droughts, Rev. Wood could be right about Crawford's weather: Maybe it is a sign from God. And maybe the message is that Bush ought to get serious about global warming. ●



Bad weather in Crawford: Global warming or a sign from God?

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Confidence Men

Why the myth of Republican competence persists, despite all the evidence to the contrary.

BY JOSHUA MICAH MARSHALL

LET'S BE HONEST. AS UPSET AS YOU may have been in January 2001 that George W. Bush was going to be president, you had to admit he had a pretty impressive team. They had beaten a sitting vice president with seemingly every advantage; they outmuscled and outmaneuvered the Gore camp during the Florida recount; and despite the abbreviated transition, they quickly and smoothly assembled a seasoned White House staff. Many top appointees were in their second or third tour of government service; they exuded experience and know-how—and not just in the splendid isolation of academia or the permissive chaos of campaign work, but in the rugged practicalities of commanding American industry. Dick Cheney was the signature figure: a former White House chief of staff, congressman, and wartime defense secretary, whose vaunted government savvy had been validated in the private sector as CEO of the energy giant Halliburton. Like the administration, Cheney was right-wing, but in a way that was at once daunting and oddly reassuring. You may not have liked what he was doing. But you had little doubt that he knew what he was doing.

Today, that record doesn't look nearly so impressive. We now know that as CEO, Cheney got snookered into a disastrous merger that has since sent Halliburton's stock price plummeting, while signing off on dubious balance sheets that have sparked a Securities and Exchange Commission investigation. His mastery of the Beltway is similarly in question. Last year's Cheney-led energy task force produced an all-drilling-no-conservation energy bill that went nowhere. The task force's real legacy was to mire the administration in a thicket of congressional investigations and private lawsuits, all springing from Cheney's insistence on Nixonian secrecy. His major foreign policy gambit—last spring's shuttle-diplomacy mission to the Middle East to secure support for an invasion of Iraq—was a debacle. The tough-talking VP went to the region to line up the Arab states behind the United States against Saddam; days after Cheney's return they were lining up behind Saddam against the United States. Less well known, but no less embarrassing, was Cheney's leadership of the pre-9/11 anti-terrorism task force. In spring 2001, rather than back congressional efforts to implement the findings of the Hart-Rudman commission, Cheney opted to spearhead his own group, to put the administration's stamp on whatever reforms occurred. But the task force did almost nothing for four months until terrorists struck on September 11. More recently, it was Cheney who advised Bush not to include any serious corporate reforms in his July speech on Wall Street, the one that sent markets plunging. While no one bats a thousand in politics, it's actually difficult to think of one thing the vice president has been responsible for that has not ended

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in muddle or disaster. Yet his reputation for competence has survived.

The same applies to the Bush administration generally. After some early successes, like the tax cut and the education bill, most administration initiatives have gone nowhere. The White House's cocky bullheadedness turned Vermont Sen. Jim Jeffords into an Independent and gave the Democrats the Senate. Its budget predictions were in shreds well before September 11. Social Security privatization went bust long before the market did. During the California energy crisis, the administration refused for months to cap wholesale energy rates. This ill-advised move looked like payback to price-gouging energy firms like Enron and drove California even further beyond Republican reach, probably for years to come. Instead of disengaging from the Middle East peace process, as Bush had promised, he is ever more mired in its problems. When, predictably, bloodshed spilled out of control, the administration rushed forth one peace plan after another, each with a half-life measured in weeks. The president talked tough against McCain-Feingold; then he signed it. And after September 11, he insisted, against the advice of almost every expert, that the country didn't need a cabinet-level homeland security agency, instead entrusting this vital task to an adviser, Tom Ridge, who lacked experience and authority and quickly became a Washington laughingstock. Seven wasted months later, Bush burst forth with a brand-new plan: a cabinet-level homeland security agency.

The confidence man is a stock figure in American culture—the snake-oil salesman, who mixes boundless optimism with quick talk, bluff, and bluster. The administration is led by such men.

Bush has certainly achieved a handful of significant victories; but so, too, had Bill Clinton at this point in his first term (the '93 budget, the Family and Medical Leave Act). And yet most people remember Clinton's first two years, with some justification, as a chaotic disaster. Somehow, despite this laundry list of screw-ups and failed initiatives, the Bush administration largely retains its reputation for awesome managerial competence—a reputation that cows even Democrats. Many have wondered why the administration suddenly floundered when confronted with this summer's corporate corruption scandal. The real mystery is how the White House failed to advance its agenda for so long without anyone noticing. Why does the myth of Bush administration competence persist after ample evidence has emerged to show that it simply isn't true?

An MBA in Every Office

A number of obvious factors offer part of the answer. Foremost among them is September 11, which temporarily dwarfed all else. The nation rallied around the president, and his administration quickly provided good reasons for doing so. The president not only drove the Taliban from power, as he said he would. He also hit his rhetorical stride, explaining for the American people the grand task upon which they were embarking. Bush reassured the nation of his administration's steely know-how even when he couldn't tell the public precisely what was being done in their name.

The Bushies also excel at the atmospherics and trappings of competence. Meetings start punctually. Everyone stays on message. Staffers don't leak. Everyone wears suits. The early Clinton administration's relative openness and extreme leakiness made the White House like a body with translucent skin. Not just every goof and foul-up, but every normal but unappetizing political process was on perfect and oftentimes excruciating display. Even successful legislative battles like the 1993 budget reconciliation bill—the measure that set the stage for declining deficits and the groundwork for sustained growth—were drawn out with an almost masochistic relish and always left within a hairsbreadth of failure. Many of the president's key advisers mixed cockiness with subtle hints that they weren't sure they belonged there. Particularly in a wartime setting, the Bushies' buttoned-down, all-business approach contrasted favorably with the on-the-edge atmosphere of the Clinton years.

Simple as it may sound, the Bush White House's reliably tight discipline papered over a host of missteps and blunders. And the White House's aggressive assertions of executive privilege—such as block-

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ing the sleuths at the GAO from peeking inside the White House and ordering agencies to resist complying with Freedom of Information requests—have also kept potential embarrassments out of the public eye. The Bush national security team made an enormous error in shelving the plan to roll back al Qaeda that Clinton administration anti-terrorism officials handed them in January 2001. But until *Time* broke the story last month, the White House was marvelously adept at bullying Congress out of a public investigation that might have uncovered this months earlier. What made so many early Clinton blunders into real debacles was watching them play out in all their ugly detail. The gays in the military flap, for instance, revealed the new president's uncertainty, the ease with which he was set up by his political opponents, his inability to keep his supposed allies in hand, and the fact that the commander-in-chief got rolled by the military brass. It was all right there in front of you.

On the merits, the collapse of the Bush administration's energy policy or its bumbling on Social Security were missteps of at least as great a magnitude. Yet nobody leaked details about the internal struggles, and so no accusations were leveled and no one had to admit that anything had gone wrong. Robbed of these particulars, journalists had a difficult time writing the story, since, in the absence of juicy narrative, they would be required to explain and analyze policy matters. And that's not a story most journalists are equipped to write.

Media-criticism scolds say this is because reporters focus on process rather than substance and that this is a terrible thing. But it's hard to imagine how it could or should be otherwise. Readers like reading narratives. The problem is that over time, process and atmospherics get to be what most reporters know and understand. And they end up seeing punctuality and efficiency—good process—as signs that people know what they're doing. In the Bible, Saint Paul says that God took Abraham's faith and accounted it to him as righteousness. The press takes the Bush administration's punctuality and accounts it to them as competence.

In the Bible, Saint Paul says that God took Abraham's faith and accounted it to him as righteousness. The press takes the Bush administration's punctuality and accounts it to them as competence.

The Bushies have the added advantage of another sort of media bias that often goes unnoticed. Most journalists are Democrats. But that doesn't necessarily help Democrats or hurt the GOP in the way whiny conservatives like to imagine. In a Democratic White House, journalists identify with the administration, whose policies and beliefs tend to mirror their own. But this familiarity makes it easy to criticize when things go wrong (and even when they don't). Reporters understand a Democratic administration's flaws more readily because it's made up of people much like themselves. This is a large part of what made the media's relationship with the Clintonites so toxic. At its nadir, coverage of the administration got caught up in a vortex of baby-boomer self-loathing; familiarity bred contempt.

Quite a different dynamic applies in a Republican administration, particularly one whose business savvy enjoyed so much advanced billing. Most political reporters don't identify much with wealthy CEOs, and even less so with corporate honchos from the oil patch. But rather than this hurting them, members of the Bush administration benefited tremendously from just how alien they seemed to many in the press. Bush campaigned and assumed office against the backdrop of the go-go, boom-market culture of the late '90s, which showered praise on the sort of corporate leaders who made up the Bush team. In the long run, the fact that the administration is stocked with ex-CEOs like Dick Cheney and Don Evans might hurt it. But in the short-run, many reporters had a hard time seeing through their mumbo-jumbo and conceits. Until recently, few could believe that the Bushies could run such a tight ship and yet still not know how to steer it. It's Dick Cheney, after all! He *must* know what he's doing!

Talk, Bluff and Bluster

This unfamiliarity and heightened expectation,

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matched with the trappings of competence, gave potency to what has turned out to be the Bush administration's signature political tactic: the confidence game. The confidence man is a stock figure in American culture, originating—perhaps not coincidentally—in the boomtowns of the Old Southwest. He's the snake-oil salesman, the wildcat land speculator who mixes boundless optimism with quick talk, bluff, and bluster. The administration is led by such men.

Americans got their first good look at this in the waning days of the presidential campaign. In the week leading up to the election, Karl Rove sold the campaign on a pet theory of his that went like this: Not having much of a mind of their own, undecided voters look to see who's out front in the waning days and cast their lots with the frontrunner. The press, too, was apt to give the leading candidate an added glow. It was a bandwagon strategy: Act like the winner and you'll become the winner, maybe even a big winner. That's just what the Bush campaign did for the first week of November 2000. Rove told the traveling press that the governor would win the popular vote by 6 or 7 percentage points and the electoral college even more comfortably, even though polls showed a dead heat. Bush coasted in and out of states like California and New Jersey, which he hadn't a prayer of winning, and kept a planeload of canny political reporters squinting and wondering whether Bush's chief strategists were magicians or morons.

Magicians they weren't. The stunt almost cost Bush the presidency. But before the press had much time to analyze how Rove had duped them (and himself) they were plunged into the struggle for Florida. Here, the same trick worked better. Immediately after the election, James Baker, the Bush family fixer, flew to Florida and announced that the election was over: George W. Bush had won. The only issue was how long Al Gore would try to steal it and how long that might delay the president-elect from assembling his staff. That gambit didn't work perfectly. Neither the voters nor the press seemed willing to accept that Bush was president-elect simply because he said he was. But by refusing to recognize the legitimacy of the question at hand the Bush team defined the terms of the debate decisively to its advantage. They smacked the Democrats around, and by and large, the Democrats took it.

But nowhere did the White House play this game more splendidly than in the 2001 tax-cut fight. The confidence man's utter self-assurance can sometimes become a self-fulfilling prophecy. Like a savvy card player he can bluff his opponents out of the game without even holding a decent hand. When Bush assumed office, conventional wisdom held that the fractured election outcome and the new president's lack of a mandate required him to compromise on his campaign tax pledge. The administration simply said, no. And while we're at it, let's make

Gunning for Your Trust

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it a little bigger. Democrats who had been preparing to haggle over decimal points weren't left with much place to go. Faced with seemingly insurmountable odds, the administration insisted they were going to do it anyway, believing that if you project confidence and invincibility, others will come around. And to a remarkable extent that's just what happened.

In the Bushies' lexicon this is called "leadership." And to some extent it is. Getting people to follow you by force of personality, persuasion, and will is the essence of leadership. In fact, some of the qualities that make the president so great at scamming the policy process proved to be his greatest strengths in the first phases of the war. Bush was supremely confident and appropriately indifferent to complexities that might have distracted a more thoughtful, but less resolute, individual. But mostly, what the Bushies call "leadership" is just a confidence game. And over time, that kind of leadership will get its butt kicked by reality every time.

It's actually difficult to think of one thing the vice president has been responsible for that has not ended in muddle or disaster.

There's no better example than the Bush administration's bungling in the Middle East. The White House considered the Clintonites fools for expending political capital on intractable issues like the peace process, opting instead for a cold-eyed disengagement. It seemed shrewd—until the West Bank exploded and scrambled the administration's plans for invading Iraq, something the new team apparently hadn't figured on.

The Bush administration was full of plans to defy the laws of political gravity. They would grab the third rail of American politics—Social Security—and seniors wouldn't notice. They would expand their cut of the African-American vote by tossing a few faith-based grants to black ministers, without blacks noticing the anti-civil rights judges they were appointing. Most audaciously, they would overcome a solid consensus in favor of moderate environmental laws by setting the public's desire for a clean environment against its fears of a deteriorating economy. For three decades environmental laws had tightened like a ratchet. The argument that environmental protection comes up at the cost of economic growth had often stymied passage of new laws, but seldom had it helped overturn laws that had been in place for some time. (Republicans had tried this tactic during steeper economic downturns and gotten nowhere.) But somehow the Bushies would have the Midas touch. Even the California energy crisis (which would seem to be a negative for a White House so closely affiliated with the energy industry) was briefly enlisted as another boon for the administration's energy plan. It was all so ingenious and bold and over-the-top that it was possible, for a moment, to believe that it just might work. But in end, the plan collapsed under the weight of its own ridiculousness and no amount of bluster or message discipline or strategizing could change that. The new administration didn't really have a new plan for the old realities. They just ignored them for a while.

The Bush Bubble

Really, the fact that the Bush administration needed such tactics shouldn't have been a surprise. During the 2000 election, on issue after issue, Democratic positions outpolled Republican ones, just as they had in 1998. George W. Bush won the presidency in spite of that. But he still faced the difficult task of governing with an agenda that most Americans simply didn't support. With their trademark bravado, the Bush administration recast warmed-over or failed initiatives as sure bets. And for a while, the media, the public, and even some Democrats bought in. Today, however, its signature domestic accomplishment—the 2001 tax cut—seems destined to yield dividends of deficits and political fallout for years to come. When you look past the promises and the tough talk and the spin, you see an administration whose major policy initiatives are stalled or postponed to some unspecified point in the future. Until now, the Bush administration has been trading on the promise that all of these things would work out. But that leaves them in the position of a company that borrows against future profits (Enron, for instance) or an overextended investor who is buying stock on margin. When the bubble bursts, they will have a long way to fall. ●

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When School Choice Isn't

This fall, millions of kids have the right to leave failing schools. Too bad there's nowhere else for them to go.

BY ALEXANDER RUSSO

CENTRAL JUNIOR HIGH SCHOOL IS A typical troubled school in the down-on-its-luck working-class town of Zion, Ill. Located an hour north of Chicago near Lake Michigan on the Wisconsin border, Zion's religious origins and former glory are still apparent in the town's biblically named streets, parks, and skating rinks. In recent decades, however, the city has struggled with drugs and gang violence, and tax revenues from the nuclear power plant built here 20 years ago dried up after the plant closed in 1999.

Zion's schools have also struggled. Going by last year's test scores, Zion is home to four of the nearly 600 failing schools in Illinois. More than half of the town's 3,000 elementary and junior high students are poor, and more than 60 percent are minorities. Before the local bond referendum passed last year, the schools were seriously underfunded. Central, which houses more than 600 seventh- and eighth-graders from around the district, has been "failing," and resorted to school uniforms in an attempt to limit gang and racial conflicts on campus.

Carol Suetmeyer's daughter, a student at Central, has witnessed firsthand the school's problems, which aren't limited to academics. In one harrowing incident last year, teachers and administrators couldn't find the 14-year-old girl for several hours. She was eventually located, safe and sound, but for her mother the experience was terrifying. "I'm very protective of my daughter," she says. "Nobody knew where she was."

Like several other parents in her town, Suetmeyer would love nothing better than to take her daughter out of Central and send her to another school this fall. Federal education-reform legislation passed this year—the No Child Left Behind Act—was designed by President Bush and Congress to allow parents like Suetmeyer to do just that, by giving them the option to transfer their children to better schools. But here's the catch: In Zion, there *is* no better school.

A small school district, Zion has five mostly overcrowded elementary schools but only one junior high school. The next closest junior high schools are not far away, in the next town over, but the new law doesn't require schools to accept transfer students from other districts. And neighboring school districts—

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especially wealthier ones—are no more interested in opening their doors to poor students than they were during the days of busing. As a result, Suetmeyer will be sending her daughter back to Central.

Her difficulty is a snapshot of what's likely to come this fall, when the nearly 10 percent of all students who attend the nation's 8,600 "failing" public schools (4 million students in all) will have the right to choose other public schools. There are more than 14,000 school districts in the nation, but about one in three has just a single school per grade level.

"My guess is that each district will want to keep itself separate," says Dennis Divoky, the principal at Central. "Community control [of schools] is the reason that there are 900 districts in Illinois."

School choice, as written into federal law, was intended to provide an escape for kids stuck in lousy situations, while at the same time spurring competition for reform. It came about as a compromise between advocates and foes of private school vouchers by creating parental choice, though only within public schools. In exchange for a significant increase in federal funding, the new law demands that failing (or "persistently unsafe") schools give parents new transfer options and cover the costs of transportation to another school. To give teeth to this requirement, up to 20 percent of each district's federal funding can be spent on transportation and such supplemental services as after-school tutoring.

Zion's experience, combined with the results of a recent two-year-old federal choice program, suggests that the impact of school choice on school performance will be far less revolutionary than its supporters from both parties envision. As a result, if left unaddressed, the situation is likely to strengthen the conservative argument for vouchers, which was recently bolstered by a Supreme Court decision allowing public money to be spent on such payments to private religious schools. More importantly, though, the choice program promises to leave struggling parents like Suetmeyer even more frustrated, and threatens to distract attention from the work on proven remedies to fix poorly performing schools.

Exercising Options

Despite its fanfare, the choice program enshrined in the new federal law is not exactly new. It is, in fact, based closely on a two-year-old federal program created in a compromise between the Clinton administration and House Republicans that funneled $360 million to help improve failing schools, but failed to provide any real choice for parents. State reports from the program's first year revealed that remarkably few transfers occurred. In Vermont, just 12 students transferred from two schools in 2000-01; in North Dakota, 34 students transferred; in Kansas, none; and in Florida, not a single school met the state's definition of failure. The numbers didn't increase much last year, either. In Baltimore, for example, just 22 students changed schools.

As it turns out, providing viable transfer options for parents is much harder than it sounds—especially when the program is underfunded, poorly publicized to parents, limited to low-performing schools, administered by unenthusiastic school officials, and full of bureaucratic loopholes. Educators raise legions of logistical, financial, and educational objections to giving parents more say in choosing their children's schools: There is no other school not already overcrowded. There is no other school not performing poorly. No neighboring district is willing to take the complainants' children. The district can't afford to pay for transportation. Transferring students would violate class-size reduction initiatives or union contracts. The district includes only one school per grade span. State or local policy limits choice, or a consent decree operates to limit it.

Given these loopholes (and real difficulties), an amazing number of districts were unwilling or unable to provide choice and, thus, not required to allow or enable students to move. However valid they may be in some cases, in many others, the reasons offered appear to be more a function of lack of enthusiasm on the part of bureaucrats, and, more surprisingly, of parents.

Parental Discretion

Perhaps nowhere are the limits of federally mandated choice programs more apparent than in New Orleans, where fewer than 20 of the 10,000 eligible students chose to transfer last fall. Initially, the district claimed to "lack capacity" to provide such choices to students attending failing schools, which would have exempted it from the requirement under the old law. Apparently none of the better schools in the district had room to accept more students—at least according to those schools' principals.

Dubious of those claims, the district then conducted a utilization study and found almost 150 spaces at nearby schools—not nearly enough to handle any significant move from among the estimated 10,000 eligible students, but more than had been expected. To make the process fair, the district decided to set up a lottery for those slots. To the aston-

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ishment of school administrators, no lottery was necessary. Fewer than 70 parents expressed interest in transferring their children to other schools.

One obvious reason for the lack of interest was that the district prohibited parents from choosing any of the more popular citywide enrollment schools, limiting the choices only to other neighborhood schools that aren't considered much better. Another was that the district had dedicated more than $5 million in federal and local funds to provide the 11 struggling schools with smaller classes, better teachers, and other resources and improvements. The letter that New Orleans parents received notifying them of their right to transfer reads more like an advertisement for the failing schools than an admission of their shortcomings and a listing of what other schools might be available. "We are addressing the academic needs of your current school in an effort to improve the quality of instruction that your child receives," it begins, and goes on to list 10 promised improvements in boldface, only mentioning the choice option two paragraphs later. Even for those parents who might be interested, the letter omits the names of the alternative schools.

Providing viable transfer options is much harder than it sounds—especially when the program is underfunded, poorly publicized to parents, and full of bureaucratic loopholes.

Among educators in New Orleans and elsewhere, conventional wisdom holds that lack of space and parental preference for neighborhood schools are the major obstacles to choice programs. But lack of space has a long and notorious history as a rationale for limiting choice options for low-income students, especially when it is left to the discretion of local administrators or principals at higher-performing, typically more affluent schools. And parental interest is proportional to the type and amount of information provided about the performance of their children's school and the choices available for transfer.

Marie Farve, president of the New Orleans PTA, believes that most parents who haven't already moved their children aren't interested in choice anyway. Indeed, as *The Washington Monthly* documented last year (see "Student Movement," September 2001), poor public-school students change schools frequently, a fact that contradicts the basic assumption behind the choice program that poor students are "stuck" in a single bad school.

A General Accounting Office study found that one third-grader out of every six has attended three or more schools since entering the first grade, a problem that is even more acute in the inner city. A recent study of Chicago students revealed that fewer than half who entered school in first grade attended the same school in fourth. Some schools retained fewer than 30 percent of their first-graders. Pupils who changed schools most frequently had worse test scores than other poor students, even though one of the main reasons parents said they moved their children was to find a better school. The problem, it seems, is not the ability to switch schools, but to switch from bad schools to genuinely good ones.

Wishful Thinking

The Bush administration claims that the new choice requirements will break down bureaucratic barriers to choice, but many observers doubt it. True, under the new law, districts will no longer be able to claim that they lack the capacity to provide choice. Nor will they be allowed to pass local resolutions prohibiting the practice. But in a fit of wishful thinking, the new law simply erases these options, providing no clear mandate to ensure that choices actually exist. Nor does it require school administrators to arrange transfers with neighboring schools if they truly do lack capacity.

Most significantly, the law lacks any real enforcement mechanism, and the Department of Education has a long tradition of glacially slow enforcement. In the eight years since Congress last revisited K-12 education, the department sanctioned few states for not meeting federal requirements. Last year, it gave more than $200 million in second-year-choice funding to 43 states and jurisdictions, despite the widespread dearth of students who were actually transferring schools.

Already there are signs that the nation's school districts are thwarting the new law's intent. This spring, in Montgomery County, Md., one of the nation's most progressive school districts, only 102

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students applied for transfers available under the new law—fewer than 2 percent of the more than 6,000 who attend failing schools. (Of those 102, only five fit the category of low-performing, low-income students to whom the program was targeted.) Some states, such as Arkansas, Virginia, and Wyoming, have set the bar so low that they have few, if any, "failing" schools. Others still have not released final lists of choice schools, creating confusion and limiting interest. In Illinois, state officials re-crunched the numbers for "failing" schools and came up with a new list that was half as long (as was the new list of eligible students). At the same time, state legislators passed a new law giving districts more wiggle room by permitting schools that are close to capacity or those with academic specialties (such as math-and-science schools) to decline transfer students. In Chicago, that leaves only 3,000 slots for 124,000 children whose parents are entitled to reassign them. And after the state re-ran the data for failing schools, it turned out, suddenly, that Zion no longer had any.

So what to do with the 8,600 schools the government has identified as failing?

One option would be for the feds to force states and school districts to work harder to break down educators' resistance to transfers from failing schools, and making sure parents of kids in failing schools know about the option and benefit of moving their kids to better ones. Still, resistance to transferring students between different districts will always be high. Parents are not as eager to move their children out of even the worst schools as some in Washington imagine. And even if the government could achieve perfect compliance with the law, there would still not be nearly enough seats in accessible, better schools for the vast majority of entitled children who are stuck in bad ones.

Another option that has worked well in some places, like East Harlem, is "mandatory choice," where all parents are forced actively to choose which schools their kids will attend, creating a diversity and competition that's often lacking in places with less pressure on parents to shop around. In these programs, parents are thoroughly apprised of their options and thus lured into "shopping" for the best schools. But it's hard to know whether such programs could be replicated nationally. East Harlem had the benefit of some extraordinary administrators, who also worked hard to create many new programs within existing schools so that parents actually had something to choose from.

A third option would be to increase the supply of better schools through measures like vouchers and charter schools. But there are capacity and quality problems with both of these options. Given that the average voucher being touted today is worth about $2,500, poor parents would still be hard-pressed to come up with thousands of dollars of their own money to pay for tuition at most private-schools. Even without vouchers (or their close cousin, tuition tax credits), affordable parochial schools in cities with substandard school systems like Washington, D.C., already have huge waiting lists that rival those for public housing. (Vouchers, incidentally, would likely go to the kids already enrolled in parochial schools rather than open new slots for kids looking to escape public schools.) Even the largest voucher programs currently being advocated would accommodate only a tiny fraction of the millions of eligible students from low-performing schools, leaving parents like Suetmeyer hardly better off than when they had no choice at all.

Charter schools have been launched in several big cities to try to give students an alternative to bad public schools, but their quality so far is uneven at best. In Washington, D.C., where Congress required the city to set up a charter-school system at a pace unheard of elsewhere, test scores are worse than in regular public schools, even factoring in the programs aimed at the learning disabled. And these schools have been plagued by many of the same scandals as the regular schools. (Last year, for instance, some parents discovered that one teacher was actually a former prison guard with no academic credentials.) While there may be some promise in this initiative, it will be years before it matures into anything better than what kids can get now, let alone with the capacity to accommodate millions of new students.

While it's worth rooting for almost any reform that truly provides better choices for students stuck in dysfunctional schools, it's hard not to conclude that the most efficient way to improve education for the millions of such children is by doing it the old-fashioned way: by fixing the schools they already attend. The vast majority of kids in failing schools are going to be stuck in those schools or others not much better. Letting the choice issue distract from the task of finally turning those schools around would be a shame. The sooner we recognize this and start doing more of what we know can improve achievement—better teachers, higher academic expectations, summer school, smaller classes and schools—the better. ●

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An Army of One?

In the war on terrorism, alliances aren't an obstacle to victory. They're the key to it.

BY GEN. WESLEY CLARK

A FEW DAYS AFTER SEPTEMBER 11, I HAPPENED to be walking the halls of the Pentagon, the scene of so many contentious meetings during my years as commander of NATO forces in Europe, and ran into an old acquaintance, now a senior official.

We chatted briefly about TV coverage of the crisis and the impending operations in Afghanistan. At his invitation, I began to share some thoughts about how we had waged the Kosovo war by working within NATO—but he cut me off. "We read your book," he scoffed. "And no one is going to tell us where we can or can't bomb."

That was exactly how the United States proceeded. Of course, the campaign in Afghanistan, as it unfolded, wasn't an all-American show. The United States sought and won help from an array of countries: basing rights in Central Asian states and in Pakistan; some shared intelligence from Pakistan, Saudi Arabia, and other Muslim states; diplomatic backing from Russia and China; air and naval support from France; naval refueling from Japan; special forces from the United Kingdom, and so on.

But unlike the Kosovo campaign, where NATO provided a structured consultation and consensus-shaping process, allied support in this war took the form of a "floating" or "flexible" coalition. Countries supported the United States in the manner and to the extent they felt possible, but without any pretenses of sharing in major decisions. European leaders sought to be more involved. At the Europeans' urging, NATO even declared—invoking, for the first time, Article V of its founding treaty—that the attack on the United States represented an attack on every member. But even so, Washington bypassed and essentially marginalized the alliance. The United Nations was similarly sidelined.

The first weeks of the Afghanistan campaign against the Taliban went well—an outcome that didn't surprise anyone who has had the honor to exercise command over these magnificent outfits. But the early successes seem to have reinforced the conviction of some within the U.S. government that the continuing war against terrorism is best waged outside the structures of international institutions—that American leadership must be "unfettered." This is a fundamental misjudgment. The longer this war goes on—and by all accounts, it will go on for years—the more our success will depend on the willing cooperation and active participation of our allies to root out terrorist cells in Europe and Asia, to cut off funding and support of terrorists and to deal with Saddam Hussein and other threats. We are far more likely to gain the support we need by working through international institutions than outside of them. We've got a problem here: Because the Bush administration has thus far refused to engage our allies through NATO, we are fighting the war on terrorism with one hand tied behind our back.

All Together Now

That day at the Pentagon, the senior official and I

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never had the opportunity to complete the discussion. But it was clear that he had totally misread the lessons of the Kosovo campaign. NATO wasn't an obstacle to victory in Kosovo; it was the reason for our victory. For 78 days in the spring of 1999, the alliance battled to halt the ethnic cleansing of Kosovo's Albanians being carried out by the predominantly Serb troops and government of then-President Slobodan Milosevic. It was the first actual war NATO had fought in its 50-year history. Like the U.S. war in Afghanistan, it was predominantly an air campaign (though the threat of a ground attack, I believe, proved decisive). America provided the leadership, the target nominations, and almost all of the precision strikes. Still, it was very much a NATO war. Allied countries flew some 60 percent of the sorties. Because it was a NATO campaign, each bomb dropped represented a target that had been approved, at least in theory, by each of the alliance's 19 governments. Much of my time as allied commander was spent with various European defense officials, walking them through proposed targets and the reasoning behind them. Sometimes there were disagreements and occasionally we had to modify those lists to take into account the different countries' political concerns and military judgements. For all of us involved—the president, secretaries of state and defense, the chairman of the Joint Chiefs, and me—it was a time-consuming and sometimes frustrating process. But in the end, this was the decisive process for success, because whatever we lost in theoretical military effectiveness we gained manyfold in actual strategic impact by having every NATO nation on board.

Because the Bush administration has refused to engage our allies through NATO, we are fighting the war on terrorism with one hand tied behind our back.

NATO itself acted as a consensus engine for its members. Because it acts on the basis of such broad agreement, every decision is an opportunity for members to dissent—therefore, every decision generates pressure to agree. Greece, for example, never opposed a NATO action, though its electorate strongly opposed the war and the Greek government tried in other ways to maintain an acceptable "distance" from NATO military actions. This process evokes leadership from the stronger states and pulls the others along.

Of course, this wasn't a pleasant experience for any of the participants. For U.S. leaders during the war, it meant continuing dialogue, frictions, and occasional hard exchanges with some allies to get them on board. For some European leaders, the experience must have been the reverse: a continuing pressure from the United States to approve actions—to strike targets—that would generate domestic criticism at home. There was no escaping the fact that this was every government's war, that they were intrinsically part of the operation, and each was, ultimately, liable to be held accountable by its voters for the outcome.

In the darkest days before the NATO 50th anniversary summit in late April in Washington, British Prime Minister Tony Blair came to our headquarters in Belgium on very short notice. To be honest, it wasn't altogether clear why he was coming. But as he and I sat alone in my office, it quickly became apparent. "Are we going to win?" he asked me. "Will we win with an air campaign alone? Will you get ground troops if you need them?" Blair made it very clear that the future of every government in Western Europe, including his own, depended on a successful outcome of the war. Therefore, he was going to do everything it took to succeed. No stopping halfway. No halfheartedness.

That was the real lesson of the Kosovo campaign at the highest level: NATO worked. It held political leaders accountable to their electorates. It made an American-dominated effort essentially their effort. It made an American-led success their success. And, because an American-led failure would have been their failure, these leaders became determined to prevail. NATO not only generated consensus, it also generated an incredible capacity to alter public perceptions, enabling countries with even minimal capacities to participate collectively in the war. As one minister of defense told me afterwards, "Before Kosovo, you couldn't use the word 'war' in my country. War meant defeat, destruction, death, and occupation. Now it is different. We have won one!"

Squeezing Slobodan

Milosevic was hoping the alliance would crack and the bombing campaign would fall apart. Instead, NATO's determination increased over time and the

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bombing intensified. He was hoping that neighboring countries, such as Bulgaria and Romania, would not cooperate with the West, and indeed, large majorities of their citizens initially opposed the war. But the power of NATO extended even to these countries, which at that point were non-members. We simply made clear to their leaders that if they wanted to be considered for eventual membership in NATO—and they did, very much—then they'd have to help us against Milosevic, which they did, quickly. Faced with this remarkable unity of effort and determination, even the Russians, who strongly sympathized with the Serbs, also abandoned Milosevic in the end.

Other international institutions helped us tighten the noose. The United States acted under the authority of U.N. Security Council Resolution 1199, passed in the autumn of 1998, and authorizing all available means to deal with the humanitarian crisis in Kosovo—language which helped give our military intervention international legal and moral authority. The threat against Milosevic of war criminal charges was additional leverage. When the International Criminal Tribunal indicted Milosevic for war crimes on May 25, 1999, the resolve of our European allies notably stiffened—a fact that today's domestic opponents of the international court should keep in mind.

In the end, NATO achieved every one of its aims. With the air war intensifying, a ground invasion being prepared, and no other country to turn to for help, Milosevic in early June pulled his troops, police, and weaponry out of Kosovo. A NATO-led international peacekeeping force entered to establish order. Nearly a million Kosovars returned to their homes. Weakened by his defeat, Milosevic lost an election he had tried to rig in his favor. When he still refused to cede power, a student-led uprising did the job for him. Milosevic is now behind bars at The Hague and is being tried as a war criminal. Though Serbia and Kosovo are still struggling with the aftermath of ethnic conflict and autocratic leadership, they are now governed by democratically elected leaders eager for good relations with the West. All this was achieved at a remarkably slight cost, minimal destruction on the ground, no NATO casualties, and relatively few civilian deaths despite the use of some 23,000 bombs and missiles.

What caused this outcome was not just the weapons of war. Forces far beyond the bombs and bullets were at work: the weight of international diplomacy; the impact of international law; and the "consensus-engine" of NATO, which kept all the Allies in the fight. The lesson of Kosovo is that international institutions and alliances are really another form of power. They have their limitations and can require a lot of maintenance. But used effectively, they can be strategically decisive.

Bin Laden, War Criminal

The Kosovo campaign suggests alternatives in waging and winning the struggle against terrorism: greater reliance on diplomacy and law and relatively less on the military alone. Soon after September 11, without surrendering our right of self defense, we should have helped the United Nations create an International Criminal Tribunal on International Terrorism. We could have taken advantage of the outpourings of shock, grief, and sympathy to forge a legal definition of terrorism and obtain the indictment of Osama bin Laden and the Taliban as war criminals charged with crimes against humanity. Had we done so, I believe we would have had greater legitimacy and won stronger support in the Islamic world. We could have used the increased legitimacy to raise pressure on Saudi Arabia and other Arab states to cut off fully the moral, religious, intellectual, and financial support to terrorism. We could have used such legitimacy to strengthen the international coalition against Saddam Hussein. Or to encourage our European allies and others to condemn more strongly the use of terror against Israel and bring peace to that region. Reliance on a compelling U.N. indictment might have given us the edge in legitimacy throughout much of the Islamic world that no amount of "strategic informa-

Employment Opportunity

The Washington Monthly is looking for a Development Director to create and run its fundraising program. The prestigious D.C.-based national magazine of politics, government, and "neo-liberal" ideas has recently changed management and become a nonprofit. This is a great opportunity for an entrepreneurial-minded fundraiser who wants his or her efforts to have a direct impact on the nation's public policy debate. Candidates for the position must have extensive connections with and experience raising funds from national public policy-oriented foundations. Candidates must also be able to set up and manage fundraising drives and events, and help select and motivate a board of advisers whose job will be to help raise funds.

To inquire with salary requirements or for more information, please contact associate publisher Christina Larson at 202-393-5155 or christina@washingtonmonthly.com.

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tion" and spin control can provide. On a purely practical level, we might have avoided the embarrassing arguments during the encirclement of Kandahar in early December 2001, when the appointed Afghan leader wanted to offer the Taliban leader amnesty, asking what law he had broken, while the United States insisted that none should be granted. We might have avoided the continuing difficulties of maintaining hundreds of prisoners in a legal no-man's land at Guantanamo Bay, which has undercut U.S. legitimacy in the eyes of much of the world.

Instead of cutting NATO out, we should have prosecuted the Afghan campaign with NATO, as we did in Kosovo. Of course, it would have been difficult to involve our allies early on, when we ourselves didn't know what we wanted to do, or how to achieve it. The dialogue and discussions would have been vexing. But in the end, we could have kept NATO involved without surrendering to others the design of the campaign. We could have simply phased the operation and turned over what had begun as a U.S.-only effort to a NATO mission, under U.S. leadership.

Even winning European approval of the air campaign need not have proved troublesome. The most serious difficulties we had in garnering European support for the Kosovo air campaign concerned bombing the so-called "dual-use" targets: bridges, power stations, TV towers, and government buildings in Belgrade. The United States believed such attacks were crucial to breaking Milosevic's ability to wage war. The Europeans, deeply concerned about potential civilian casualties, preferred to hit Yugoslav military targets in Kosovo. In the end, we bombed both. But a similar disagreement in Afghanistan between the United States and Europeans would have been highly unlikely, for the simple reason that the American bombing campaign focused exclusively on military targets. The United States concentrated its firepower on Taliban and al Qaeda troops, hideouts, and weapons stores—precisely the kinds of targets the Europeans were most likely to have approved.

Sleepers in Seattle

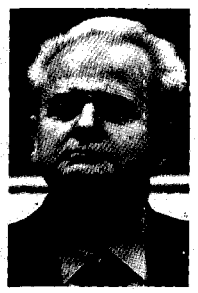
NATO involvement would probably not have hastened our victory in Afghanistan. But had the Afghan campaign been waged with NATO, I believe we would have been in a stronger position to stay the course in Afghanistan and prosecute the coming stages of the war.

As the president himself has warned, the struggle against terror requires far more than exclusively military actions. Indeed, as time goes on, the most important aspect of the war may be in law enforcement and judicial activities. Much of the terrorist network draws support and resources from within countries friendly or allied with us. Terrorists residing in Western Europe planned the September 11 attack, and the greatest concentration of their "sleeper cells" outside the Middle East is probably in Europe. Yet this is a threat that the American military can do little to combat. What we really need is closer alignment of our police and judicial activities with our friends and allies: greater cooperation in joint police investigations, sharing of evidence, harmonious evidentiary standards and procedures, as well as common definitions of crimes associated with terrorism. Through greater legal, judicial, and police coordination, we need to make the international environment more seamless for us than it is for the international terrorists we seek.

U.S. officials inevitably say that they are getting "good cooperation" from their European counterparts. They say the same, however, about countries like Saudi Arabia, where we know cooperation is minimal at best. Even with the limited information publicly available, it's clear that the police and judicial measures taken to detect, identify, track, detain, interrogate, arrest, charge, convict, and punish terrorists and their accomplices within friendly countries have thus far been less than fully successful. Since last fall, European governments have arrested, then released, numerous suspected terrorists whom the U.S. government would undoubtedly have preferred to see kept behind bars. In April, for instance, Spanish police arrested a Syrian-born al Qaeda suspect, but let him go, citing a lack of evidence. Yet, at the time of his arrest, he had in his possession hours of videotape of the World Trade Center from every conceivable angle, plus similar surveillance images of other planned al Qaeda targets such as Disney World. Fortunately, the Spanish police rearrested the man in July. But that same month, British courts released an Egyptian wanted in the United States for allegedly aiding a top terrorist leader.

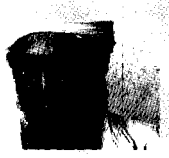
The full cooperation we seek is unlikely without an overall consensus-building mechanism, like NATO, to

America's Most Wanted:



Slobodan Milosevic (left): In prison in the Hague

Osama bin Laden (below): Still at large



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drive the process. It is hard enough getting the CIA and FBI to share information, even when both answer (in theory) to the president and Congress. Imagine how difficult it is to get cooperation among various U.S. agencies and their counterparts working bilaterally with 20 different European countries, when each agency is competing with others.

The longer the war goes on, the more we are going to need cooperation and support from other nations—not just troops and ships and airplanes, but whole-hearted governmental collaboration. Instead, we seem to be getting less as time goes on. After September 11, the United States gave the United Nations a list of groups and individuals suspected of funding terrorists. European governments responded by freezing their assets. In the spring, the U.S. government provided an updated list with new names. This time, most European governments ignored the list, according to *The Wall Street Journal*, citing concern that the United States was providing insufficient recourse for those who claim they are innocent.

The longer the war goes on, the more we are going to need cooperation and support from other nations. Instead, we seem to be getting less and less.

Last fall, all of Europe understood that the attacks of September 11 had been planned on European soil, that European targets were on the terrorists' lists, and that Europeans by the hundreds died in the World Trade Center. German Chancellor Gerhard Schroeder braved a no-confidence vote to win approval for German combat troops to be made available for Afghanistan. Even the French, long openly resentful of American power, expressed solidarity with us. Today, that support is being replaced by growing popular anger at the United States. Instead of focusing on the threat of terrorism, Europeans are focusing on the dangers of American hegemony. Their leaders are free to play to these fears because, without NATO involvement, the war is not seen as theirs, but ours. Not a single European election hinges on the success of the war on terrorism. As a consequence, European elected officials simply don't have a personal stake in the outcome.

Some Americans seem to take a certain delight in Europe's outrage. But the fact is that this outrage is undermining our ability to carry out the next stages of the war, including, perhaps, toppling Saddam Hussein. We don't necessarily need Europe's full military support for a war against Saddam. But we need its diplomatic support now and its assistance in the aftermath. Without this support, others will have an excuse for not cooperating. This has already begun to happen. King Abdullah of Jordan recently explained to *The Washington Post* why his country, which borders Iraq, could not be used as a staging area for a U.S. invasion force: "If it seems America wants to hit Baghdad, that's not what Jordanians think, or the British, [or] the French..."

Right Makes Might

It's still not too late to enlist NATO in the fight against terrorism—to handle peacekeeping duties in an increasingly chaotic Afghanistan, to deepen its involvement in the fight against the proliferation of weapons of mass destruction, and to host the harmonization of judicial and law-enforcement activities. If there is to be a military operation against Iraq, then certainly NATO participation should be sought. Involving NATO more directly and deeply would give European leaders a personal political stake in the war. In particular, bringing NATO into an expanded peacekeeping mission in Afghanistan would go a long way toward convincing the Europeans that the United States is serious about stability in post-war Iraq or other post-conflict situations. That NATO framework can be expanded at the military level to encompass countries that do not belong to NATO, just as we did in Bosnia and Kosovo.

In the twilight of World War II we recognized the need for allies. We understood the need to prevent conflict, not just fight it, and we affirmed the idea that we must banish from the world what President Harry Truman, addressing the founding of the United Nations, called "the fundamental philosophy of our enemies, namely, that 'might makes right.'" Truman went on to say that we must "prove by our acts that right makes might." Since September 11, America has been in a similar position: the most powerful nation in the world, but facing a deadly enemy. The United States has the opportunity to use the power of the international institutions it established to triumph over terrorists who threaten not just the United States, but the world. What a tragedy it will be if we walk away from our own efforts, and from 60 years of post-World War II experience, to tackle the problem of terror without using fully the instruments of international law and persuasion that we ourselves created.

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Tidbits & Outrages

WHEN GUNS IN THE COCKPIT WON'T CUT IT.

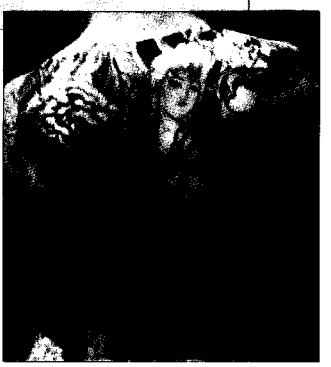
With the new premium on air safety, a British company has developed seat-based body sensors that measure passengers' anxiety level, potentially tipping off flight attendants to impending cases of "air rage" in advance.

NOTHING TO SNIFF AT

According to *Business 2.0*, Colombian drug cartels have spent billions of dollars to develop one of the world's most sophisticated IT infrastructures. Alan Greenspan would be impressed: In the last four years they've leveraged the technology to double the amount of cocaine shipped to the United States.

High Times at City Hall

Frustrated by the federal government's repeated crackdowns on city-approved medical marijuana clubs, officials in San Francisco are considering growing their own. Supporters want the program to double as job training for the unemployed.



Still Obsessed with Skin.

A South Carolina tattoo artist, fighting the state's ban on tattooing, has enlisted the help of former independent counsel Kenneth Starr. "Our Country believes in liberty," Starr declared upon filing an appeal to the U.S. Supreme Court, which argued that it was wrong to ban tattooing "in a society that protects liquor advertising and pornography."

Pork for Pupils

Cash-strapped students at Missouri's Lindenwood University needn't fear their next tuition bill—an innovative new barter system, devised by a Republican state legislator, lets students pay with pork in lieu of cash: $3,200-worth of pigs will cover two semesters. The Missouri Pork Producers Association, no doubt hog-wild about the idea, is helping to raise awareness.

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Spin Doctors

Tommy Thompson is not a bioterrorism expert. So why does he play one on TV?

BY GARANCE FRANKE-RUTA

AMERICAN MEDIA INC. PHOTOGRAPHER Robert L. Stevens was feeling sick when he returned home to Palm Beach, Fla., last Oct. 1 after a trip to North Carolina. By the time his wife admitted him to Palm Beach County Hospital the next morning, Stevens was delirious with fever. The symptoms suggested anthrax poisoning, and preliminary tests could not rule it out, so blood samples were sent to the Florida state health department laboratory and to the Centers for Disease Control and Prevention (CDC) in Atlanta. Two days later, a team of CDC anthrax specialists arrived to work with the Palm Beach County health commissioner. On Oct. 4, the diagnosis was announced: Stevens had anthrax. Yet even though September 11 was fresh in the minds of Americans, the Bush administration inexplicably played down his illness. "It appears that this is just an isolated case," Health and Human Services (HHS) Secretary Tommy Thompson announced that day at a White House news conference. "There's no evidence of terrorism." Stevens died the next day.

Thompson was, of course, quickly proved wrong. The truth about Stevens's case soon emerged—four more people were killed by anthrax-laced letters sent by a bioterrorist still at large—and with it the embarrassing fact that the Bush administration had essentially botched the job of communicating with the American people. Famous for its message discipline, the White House had insisted that its HHS secretary be the lone voice on bioterrorism. Yet, from the outset, Thompson had made a host of elementary errors, suggesting, for example, that Stevens might have contracted anthrax by drinking stream water, something health experts and science reporters immediately knew to be false, given the symptoms he displayed. Such misstatements quickly eroded Thompson's credibility. But reporters had no one else to turn to. "The feds basically put a gag on the local officials and the state officials, too," recalls Sanjay Bhatt, medical reporter for *The Palm Beach Post*. This gag order extended to CDC officials, as well. "All questions were directed to Atlanta or Washington, and for about a week we didn't get any response from either to our questions, which we submitted both in writing and over the phone." During the first weeks of the largest biological terror attack in U.S. history, when the need for accurate public-health information was at a premium, government experts were effectively silenced.

More than any other government agency, the CDC's mission is to get accurate information to the public as quickly as possible, so that public health officials and citizens can respond appropriately. The main avenue of dissemination is through the news media. Bush's decision to marginalize the agency's press office in favor of Thompson and his close minions interfered with this mission. Reporters couldn't get their calls returned and as a result, complained *New York Times* medical reporter Lawrence K. Altman, produced stories that were "often conflicting and occasionally inaccurate." In other words, by centralizing authority, the Bush administration ensured that the public got information that was unreliable and slow in coming. In the absence of reliable information, the public succumbed to national panic. There were runs on gas masks and Cipro, creating shortages that could have led to supply problems had the attacks been more widespread.

In the year since the attacks, the Bush administration has put a great deal of effort into addressing the nation's vulnerabilities. But in the case of the CDC, that effort is likely to make things worse, not better. Rather than bulking up the agency's staff and freeing it to do its job, during the past year the White House has further tightened its grip on the agency, concentrating more authority in HHS under Thompson. Were a bioterrorism attack to

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take place today, reporters—and by extension, the public—could expect not experts and scientists, but more Tommy Thompson and more runaround.

Kooped Up

The CDC press office wasn't always so ineffective. It has proved adept at handling the local press when discrete problems arise in specific locations, such as the outbreak of Legionnaires' disease in Philadelphia in the mid-1970s or the first Hantavirus outbreak in four Southwestern states in 1993. In Philadelphia, the CDC quickly identified the pathogen responsible for sickening the American Legion veterans and calmed a panicked city. After a mysterious respiratory infection killed 11 people—many of them young, otherwise healthy Navajos—CDC officials rapidly identified a Hantavirus as the culprit. While scientists worked feverishly to identify the virus, press officers handled the local media, quelled rumors, and convinced worried Native Americans that the threat to their health was being taken seriously.

But the agency doesn't perform nearly as well when it has to handle highly politicized diseases, especially those that attract widespread attention from the national media. The best example of this problem is the story of the AIDS virus.

Between 1981 and 1987, President Ronald Reagan was silent on the burgeoning HIV crisis that was devastating urban communities such as New York and San Francisco. It wasn't until 1988 that his surgeon general, C. Everett Koop, finally convinced the administration that the danger posed by AIDS to the public health outweighed conservatives' moral qualms about homosexuality and drug use, then the two main routes of transmission. The CDC responded by sending all Americans a brochure on AIDS prevention. The fact that the disease had become politicized led the White House to try to control the public message; in this case, that meant limiting it. This prompted AIDS activists to demand that the CDC fulfill its role by providing better HIV-prevention and education programs and greater local control over funding decisions and program design. In effect, they demanded a less autocratic, less politicized approach that was more responsive to the public health crisis. Gradually, the CDC acceded to this demand. The press office began opening its doors, first to AIDS activists and, later, to other disease advocates inspired by their exam-

Who's Who

BY SUSAN THREE-FOGELL

Traditionally, the second November of any presidential administration is when new talent begins to cycle in and old hands start to cycle out—or get forced out. So who among the Bush administration might be heading back to the private sector this fall? Within the White House, speculation centers around congressional lobbyist **Nicholas Calio** and chief of staff **Andy Card**. Calio was a last-choice pick for the post back in 2001, while Card loves telling reporters how the average tenure for chiefs of staff is 18 months, a mark he'll reach this fall. (It didn't help when Card recently let slip a few swipes at **Karl Rove** to *Esquire*'s **Ron Suskind**.) Another possibility is domestic policy adviser **Margaret LaMontagne**, a Texas-era Bush loyalist who's regarded as something of a lightweight. Among cabinet secretaries, everyone's favorite whipping boy is gaffe-prone Treasury Secretary **Paul O'Neill**. But the truth, one White House reporter says, is that "there's almost no cabinet secretary that isn't rumored to be unhappy and wanting to go." EPA administrator **Christie Whitman**, HHS secretary **Tommy Thompson**, and Education Secretary **Rod Paige** have been constantly overruled by the White House and cut out of the policy loop on major decisions. **Mel Martinez** seems to have spent more time in Florida campaigning for **Jeb Bush** than he has running HUD. Even **Colin Powell** is rumored to be threatening to quit. Transportation Secretary **Norm Mineta** has also been under fire lately, for embarrassing the White House officials by getting them to oppose a proposal to arm airline pilots, only to watch the measure quickly gain bipartisan support in Congress. And congressional appropriators are furious with Mineta for blaming the new Transportation Security Agency's slow progress on a lack of funding, when it was **Mitch Daniels,** the administration's own budget guru, who had signed off on recent cuts for TSA. There's only one hitch: Mineta is the only Democrat in the cabinet, which may keep him safe.

Chicago Mayor **Richard M. Daley** and his posse may need to watch out—there's a new sheriff in town. New U.S. Attorney for Northern Illinois **Patrick Fitzgerald** is the first out-of-towner with no Chicago connections or loyalty ever to hold the post. Nominated

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ple. Under communications director Dan Barreth, the office developed a "15-minutes" rule: Every reporter who called, no matter how small their publication or newsletter, would get a call back within 15 minutes, even if just to arrange a later interview. The agency trained press officers in specific scientific areas. Reporters loved it. Local health departments loved it. Then Barreth died suddenly in 1995.

His successors, Vicki Freimuth and Kay Golan, continued many of Barreth's improvements. But the office slowly reverted to a more reactive stance, no longer taking the initiative to develop relationships with the media that would yield dividends during the next health crisis. At the same time, the agency suffered a series of public relations fiascoes. In 1998, a CDC whistle-blower revealed that the CDC had misled Congress about the amount of money it had spent on research on chronic fatigue syndrome, angering lawmakers and activists. The General Accounting Office (GAO) launched an investigation, Congress charged the CDC with lying, and its director, Dr. Jeffrey Koplan, was forced to make a humiliating public apology in 1999. This scenario repeated itself the following year, when the GAO discovered that the agency had also misreported what it had spent on Hantavirus research. On both occasions, the CDC press office responded to criticism by circling the wagons, freezing out reporters, and alienating disease activists with whom it had developed positive relationships.

Given this background, it's no surprise that when Thompson took control of HHS, one of his first agenda items was to gain control of the scandal-plagued agency's public image. Putting himself in charge also dovetailed with the administration's desire for rigid message control and—as Thompson no doubt realized—boosted his public profile, and with it his clout in Washington. "Once the new administration came in, Thompson's office issued an edict that all communications would go through his office. The CDC press office would not be functioning the way it had been," recalls Robert J. Howard, who had worked in CDC press offices since 1991. "Tommy Thompson let it be known in no uncertain terms that he was going to be the talking head at HHS."

Mobius Loop

The political impulse to centralize authority is an understandable one. "We were trying to make sure we

by Sen. **Peter Fitzgerald** (R-Ill.—and no relation), Patrick Fitzgerald has a reputation for being an apolitical corruption-hunter with impeccable morals. Rumor has it that Illinois GOP leaders who have been in a blood feud with Daley for years hope the new prosecutor will start poking around the billions in city contracts the mayor controls and find something damaging.

Conventional wisdom holds that Republicans won the Florida recount fight because they were more motivated. Now we know just how motivated: According to a recent *Miami Herald* report, at least 50 GOP ground troops in Florida—including many who helped staged mini-riots outside vote-counting venues across the state—were later appointed to top jobs in the Bush administration. They include **John Bolton**, undersecretary of state for arms control; **Matt Schlapp**, a special assistant to the president; **Sue Cobb**, U.S. ambassador to Jamaica; **Jeanie Mamo**, a White House spokeswoman; **R. Ted Cruz**, director of policy and planning at the Federal Trade Commission; five current lawyers in the White House counsel's office; and three general counsels to cabinet secretaries.

Sen. **John Edwards** (D-N.C.) and his daughter, Emma, were among those who showed up at the Washington, D.C., premiere of the movie *Stuart Little 2*, produced by **Douglas Wick** and his wife **Lucy Fisher**. But the guest of honor was Utah Republican Sen. **Orrin Hatch**, an unlikely crony of the two Hollywood big shots. Fisher, formerly the vice chair of Sony Pictures, and Wick, the Academy Award-winning producer of *Gladiator*, are the co-founders of CuresNow, a foundation they formed last year to promote stem cell research. The free movie, Wick explained, was "a thank you to all of the people in Washington who've been helpful on diabetes and stem cell." High on that list is Hatch, an anti-abortion Mormon who has bucked many in his party to fight a federal ban on stem-cell research. But the conservative senator was on hand for another reason, too: Hatch wrote a song featured on the movie soundtrack. The songwriting senator has, over the years, seen his work recorded by such luminaries as **Gladys Knight, Donny Osmond**, and **John Schneider** of "Dukes of Hazzard" fame, though none of his 11 CDs has sold more than 10,000 copies. But Hatch's support for stem-cell research has boosted his music career. **Jerry Zucker**, another founder of CuresNow, used Hatch's song "America Rocks" in his film *Rat Race* last year. Says Wick, "If he ever wants to leave Washington and come be a songwriter in L.A. I think he could have a very good career."

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have a unified communications structure, that you don't have a communications center disconnected from the main CDC and disconnected from HHS," explains Kevin Keane, HHS assistant secretary for public affairs. But the practical effect was a disaster. After the attacks, reporters discovered that they could not get their calls returned, and that veteran press officers and government experts were forbidden from speaking with them—casualties of Thompson's centralization plan. "There's a history of just these kinds of difficulties and delays in getting access to CDC researchers, but no one actually saying, 'We will not allow you to talk to CDC researchers'—and that's what's happened since 9/11," says Andrew Holtz, president of the Association of Healthcare Journalists and a former CNN medical correspondent.

Reporters soon learned that if they wanted information, it would have to come from the top—from the press officers at HHS or directly from the secretary himself. Inexplicably, this policy extended even to terrorism questions that didn't concern the September 11 attacks. When Holtz tried to get research on the impact of the Oklahoma City bombing on mental health, he got stonewalled. "It wasn't like it was proprietary or secret information," he says. "I just wanted to know how we could use the lessons of Oklahoma City to benefit the public mental health now."

Veteran CDC press officers, many of whom had expertise and longstanding relationships with national science reporters, found themselves silenced by this newly centralized command structure. "Once terrorism occurred, I and most other communication officers were not allowed, essentially, to do our jobs," says Howard. Two years earlier, Howard had written about bioterrorism for the journal *Perspectives in Health*. When, in October, *The New York Times*'s Altman left a message inquiring about the article, Howard was stunned to learn that he was forbidden to return the call. When he complained that he was being prevented from doing his job, he says, "I was told I didn't see the big picture, that I didn't see the view that the White House had." Soon after, Howard quit in disgust.

These problems were exacerbated by the way the press office works. The CDC maintains a staff of media-relations experts who serve primarily as brokers, connecting reporters with experts. Few of these press officers, however, have Howard's level of expertise. In a non-crisis situation, this system works (albeit slowly) to place the most knowledgeable official before the public: the scientists actually working on a problem. But in a crisis situation, this system is utterly inadequate, even if there were no gag order on the press office. "The scientists themselves were incredibly busy trying to chase down the source of the exposure and trying to determine whether other people might be at risk for being exposed to it," says *The Palm Beach Post*'s Bhatt. So they couldn't possibly have time to talk to reporters. And the people who do have time—the press officers—don't know enough to answer reporters' questions.

Adding to the difficulty was a possibly unintended problem with the country's disaster preparedness infrastructure. The Federal Emergency Response Plan, which went into effect on September 11, dictates that any act of terrorism falls under the jurisdiction of the Justice Department. It also allows the FBI to designate a lead agency to handle communications, such as HHS, in the event of a bioterrorist incident, or the Environmental Protection Agency, in the event of a radiological one. In practice, the moment the planes hit the World Trade Center and the Pentagon, all information on terrorism was consolidated through the White House and cabinet secretaries. For reporters, this resulted in an information blackout from the CDC and other health information agencies that they had long relied upon as sources. "Right after September 11, I ran into problems contacting sources I'd previously worked with [at CDC]. I got shut down. There was just a blackout on information," recalls Holtz. "I was told … they were not giving interviews on any topics related to terrorism, and it was explained to me and others that this was part of the Federal Emergency Response Plan."

Meanwhile, press officers were left to work with what seemed to be a list of talking points and a simple Q-and-A fact sheet. Because of security concerns during the anthrax crisis, the FBI forbade them to provide detailed information,p and the media—and most of the nation's medical professionals—were kept in the dark about the threats posed by anthrax and the proper way to handle them. "When it became a criminal investigation, the public health message should have been of paramount importance," Palm Beach County Health Department director Jean Malecki says today. "I don't think there was an intention not to have it happen, but the fact of the matter is that it didn't happen. And the lesson is that it should happen."

To CDC officials, it was an unwelcome reminder of the agency's past failures. "It was like we forgot everything we ever learned from C. Everett Koop and the AIDS crisis and had gone back to this bunker mentality," says Howard. "[The] collegial atmosphere with the media just seemed to disappear at the time you needed it the most—in a crisis situation."

For Runaround, Press One

Since last fall, little has changed at the CDC. The

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agency's director, Koplan, stepped down in March and was replaced by Dr. Julie Gerberding. But the press office remains in shambles, as I discovered when I called the CDC to get information about bioterrorism.

My first point of contact was Chuck Fallis, one of only eight public affairs specialists who handle calls at the $6.8 billion agency's main press office. I asked him whom I should speak to at CDC regarding bioterrorism communications. "Hang on just a second, I'm really not sure," he replied, then referred me to Kevin Yeskey and Nancy Lee of the Bioterrorism Preparedness and Response Program of the CDC.

"Is Yeskey a doctor or a communications specialist?" I asked.

"I'm really not sure," said Fallis. "You'd have to ask him."

Repeated calls to Yeskey (who is, in fact, a medical doctor) went unreturned, though Lee, his secretary, did call back after several days.

"I have to refer you to the press office. We're not allowed to talk to you until you go through the press office," she said. When assured that I had already spoken with the press office, she said she'd have to look into it before speaking with me further. She did not call back.

Meanwhile, Lisa Swenarski, the CDC's acting director of media relations, returned a separate call to tell me about the bioterrorism program.

"They do not have bioterrorism media staff. I'm not sure exactly how it's organized," she admitted.

The situation at the CDC's parent agency, HHS, was marginally better. It took two calls to reach Bill Pierce, the agency's deputy assistant secretary for public affairs. But my request to interview D.A. Henderson, the famed smallpox eradicator and head of the newly created Office of Public Health Preparedness at HHS, was rebuffed. Pierce said he couldn't help me and that I'd have to talk to Keane: "Kevin's the man. It wouldn't be D.A." Neither Keane nor Pierce called back.

As these episodes illustrate, the chain-of-command problems that hampered HHS and CDC communications efforts during the anthrax attacks still have not been resolved. But the pitiable HHS and CDC press offices aren't just an irritant for journalists. Public health officials need to be able to communicate with the public in order to manage an epidemic. When the media's role as intermediary is compromised, so, too, is the public health. "It's an issue that's important to the nation as a whole, not just to the media," says Mohammad Akhter, executive director of the American Public Health Association. "They should have an education strategy to reach the public at large in an organized manner. They need to work with the media and have a partnership, so that in case of a national emergency they are able to communicate."

Dark Winter

There is no doubt that last fall's media frustration with the CDC (and the pointed criticism of Thompson) caught the attention of the Bush administration. But rather than heed the obvious lesson and free up spokespeople and experts to talk to the media—or, better yet, hire press officers who, like Howard, have actual expertise—the administration has done precisely the opposite. In January, Thompson announced a plan to formally streamline communications at HHS within a single office: his own. (A provision in the 2003 budget consolidates public information and legislative affairs offices from the CDC, Food and Drug Administration, and National Institutes of Health within the office of the secretary.) In addition to cutting CDC scientists and reporters out of the loop, the plan looks as though it will further limit the ability of the press office to do its job, ensuring that whatever talent remains will be inclined to follow Howard's lead and depart. With the creation of the Department of Homeland Security, lead responsibility for coordinating the public message in the event of bioterrorism may shift even further away from CDC's on-the-ground expertise. In the meantime, "We've got to continue as if it's the status quo," says Keane, and continue to consolidate under HHS.

Any bioterrorist attack creates tension between public-health and law-enforcement concerns. If the CDC can identify, for instance, the precise strain of a pathogen and the country or lab that created it, then the FBI or the military, hoping to get a jump on the perpetrators, quite rightly might not want that information shared with the public. Yet in any attack, the vast majority of the CDC's information will not be of this sensitive nature, and getting that information to the public quickly and accurately could save lives. Citizens under attack must be informed of how to protect themselves—what symptoms to look for, who's at highest risk, where to go if they become sick, how medical professionals should handle or quarantine the ill. The CDC and the FBI should put procedures in place so that CDC press officers don't inadvertently reveal national security secrets. But silencing the entire CDC press office, as the Bush administration did last fall, only heightens the public's sense of uncertainty and fear—which, of course, is exactly what terrorists intend. Consolidating even more press power under Tommy Thompson, as the administration hopes to do, will only make things worse. ●

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Pork for Prudes

How conservatives score, while teaching kids not to.

BY CHRISTINA LARSON

ON HIS FIRST PRESIDENTIAL CAMPAIGN stop in South Carolina, in June 1999, George W. Bush paid a visit to an abstinence-until-marriage workshop run by Heritage Community Services, a Charleston-based nonprofit that sponsors classroom presentations in over 40 local schools to teach teenagers that "waiting on sex until marriage is the expected standard in our culture." A longtime advocate for such programs, Bush told the crowd, "The contraceptive message sends a contradictory message. It tends to undermine the message of abstinence." If elected, he vowed to support the efforts of groups like Heritage with a boost in federal funding.

After the workshop, Bush met with Heritage president Anne Badgley, who began teaching abstinence after a decade running a pro-life counseling and adoption referral center. A politically connected GOP activist, Badgley organized a meeting for Bush with local conservative leaders and put her Roladex at his disposal. "I could see he was very sincere, and I worked hard to get him elected," she recalls.

And with good reason: Delivering spectacularly on his campaign pledge, the president's 2003 budget calls for hiking federal funding for abstinence education by a third, to $135 million. Bush wants to expand the same federal abstinence programs that have awarded more than $8 million to Badgley's organization since 1997.

Heritage is just one of hundreds of abstinence-until-marriage programs now funded by the federal government, courtesy of a little-noticed provision of the 1996 welfare reform law that allocated $250 million over five years for states to promote abstinence education. Written largely by the Heritage Foundation's Robert Rector and championed by former Sen. Lauch Faircloth (R-N.C.), the statutes bar grant recipients from discussing contraception, except to note condom failure rates, and require them to teach that "sexual activity outside of the context of marriage is likely to have harmful psychological and physical effects."

Bush's support for abstinence-until-marriage has outraged liberals, who question whether such programs can actually reduce teen sex—and who, consequently, boycott the grants. But the effectiveness debate has largely obscured one underlying reason for the Bush administration's support: politics. Funding abstinence-until-marriage programs allows the White House to reward conservative groups by putting them on the federal gravy train.

For 30 years, sex education has been at the center of the culture wars, with liberals struggling to safeguard services that teach teens about contraception against conservatives' efforts to eliminate federal support for them. But since 1996, conservatives have adopted a new strategy: Instead of simply attacking initiatives they oppose (which, incidentally, are often administered by liberals), they have begun winning federal funding for their own alternative programs. With the administration's blessing, conservatives are breeding a new kind of federal pork geared entirely to their kindred spirits. Though it flies in the face of small-government ideology, nourishing the nascent abstinence movement with federal funds marks an important shift in GOP strategy to court its restless social-conservative base.

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Defying Condom Sense

Washington first entered the national debate over sex education in the 1960s. Wilbur Cohen, Lyndon Johnson's undersecretary of Health, Education, and Welfare, raised the issue in a 1965 report, "Family Planning: A Freedom to Choose," and the following year awarded a grant to a private, left-leaning organization called the Sexuality Information and Education Council of the United States (SIECUS) to design the first teacher-training manual for sexuality education. Aside from developing curricula, however, Washington did not mandate or directly fund sex education in schools. It did, however, under Johnson begin to pour federal dollars into local health clinics that provided contraceptive services and counseling to adults—and later to teens referred to the clinics by school nurses.

In 1970, with the support of the Nixon administration, which believed informed access to contraception would limit global population growth (one of Nixon's pet concerns), Congress passed Title X of the Public Health Services Act, the primary federal program for the provision of family planning services. Title X funded the expansion of a national network of public and private clinics, which provided information and contraception on a sliding scale based on income. Today, state and local health departments run about 60 percent of these clinics, while the Planned Parenthood Federation of America, the largest private provider of family planning services, administers another 14 percent.

These federally supported family planning clinics became deeply controversial after 1976, when the Republican National Committee, in the wake of *Roe v. Wade*, adopted its first pro-life platform. Though Title X money never directly funded abortions, pro-life groups complained that, by supporting family planning clinics, it effectively liberalized public attitudes toward sex and abortion. Conservatives also suspected that family planning organizations were the force behind immoral sex education in the schools. Groups like the National Right to Life Committee and their allies in Congress began a yearly campaign to slash federal funding. Under Ronald Reagan, the first president with a political commitment to the pro-life movement, Title X was cut by nearly a quarter during his first year in office—though congressional Democrats later restored some of the money.

During the 1980s and 1990s, attacks on Title X and legalized abortion riled pro-choice liberals and family planning organizations supported in part by decreasing federal funds. Over the years, these groups have become a considerable political force. Planned Parenthood, which has clinics in almost every large metropolitan area, leverages its size and strength to distribute voter guides and organize get-out-the-vote drives on behalf of pro-choice candidates nationwide.

Funding abstinence-until-marriage programs allows the White House to reward conservative groups by putting them on the federal gravy train.

While it occasionally endorses liberal Republicans in local elections, at the national level, Planned Parenthood nearly always supports Democrats. In 2000, for instance, the Planned Parenthood Action Fund, the group's lobbying arm, campaigned ardently for Al Gore, spending millions on television ads in a handful of swing states like Florida and Michigan to remind voters that George W. Bush cut family planning in Texas and pledged to "do everything in my power to restrict abortions." While Planned Parenthood doesn't lobby with federal funds—the vast majority of its budget comes from private donations—conservatives cry foul that any federal dollars support an organization with a history of stumping for Democrats.

Until recently, conservatives have had limited success in securing federal support for their own programs. In 1982, two Republican senators, Jeremiah Denton and Orrin Hatch, pushed through the Adolescent Family Life Act (AFLA). This measure provided the seed money to research "chastity" curriculum in schools—the precursor to many of today's abstinence programs, including the popular "Sex Respect" curriculum, developed by the evangelical group Concerned Women for America in the 1980s. However, AFLA's funding for pilot programs remained low (never exceeding $10 million), and its credibility was damaged by a 1983 lawsuit, brought by the American Civil Liberties Union (ACLU), which alleged that some of its programs violated the constitutional separation of church and state.

With limited backing and few federal dollars, the

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abstinence crusade remained quite small, overshadowed by the primary anti-abortion passions of conservative groups in the 1980s and early 1990s. But support for the movement swelled with the wave of GOP successes in the 1994 congressional elections. Newly empowered in Congress, ideological Republicans saw that support for the pro-life movement was collapsing in the wake of clinic bombings by extremists, and they turned their attention to bolstering funding for abstinence education instead. If they couldn't keep Planned Parenthood from getting federal funds, at least they should get some of their own.

Virgin Territory

In 1996, the welfare reform act opened up the funding floodgates. Through a provision championed by then-Sen. Lauch Faircloth (R.-N.C.) during an eleventh-hour markup session with no public debate, the new law provided conservatives with federal funding in the form of grants to the state health departments to create abstinence education programs. Robert Rector, a policy analyst at the Heritage Foundation, a conservative Washington think tank, helped write the law's controversial provision for abstinence education. Unlike Title X, which mainly funds family planning clinics, the new provision put the federal government in the position of directly funding sex education in both public and private schools. Until then, sex education had been funded and directed at the state or local level (the exception being recent HIV/AIDS prevention workshops offered by educators or public officials trained by the Centers for Disease Control and Prevention (CDC)). Because the provision's language makes lessons about contraception taboo—beyond noting condom failure rates—it all but guarantees that liberal groups won't apply for the grants.

The new money was routed through state health departments, which reacted quizzically. "I don't think states were ready for it or knew quite how to deal with it," says Montana's abstinence coordinator, Jon Berg. Many state health officials, dubious of abstinence education, instead used the money to fund everything *but* abstinence instruction. Hawaii funded after-school tutoring and extracurriculars; Massachusetts spent most of its money on a media campaign; and California simply refused the federal grant.

This approach quickly drew fire from conservatives, who responded by creating the National Council on Abstinence Education (NCAE) to capitalize on the new funding stream and pressure states to fund classroom abstinence instruction, rather than extracurricular activities. The group elected Peter Brandt, a conservative strategist and director of issue response for Focus on the Family, as its leader and spokesman. In several conservative states, the NCAE's lobbying efforts succeeded. Governors transferred control of the abstinence programs from state health departments to handpicked conservative commissions.

In Louisiana, Republican Gov. Mike Foster, who annually proclaims Valentine's Day as "Marriage Day," shut down the health department's plans to fund after-school tutoring and installed as director of his newly created Governor's Program on Abstinence Dan Richey, a former state senator and Christian activist. "I want to be involved," Foster told the *Baton Rouge Advocate*. "I want to make sure that the people [responsible for program implementation] are at least somewhat faith-based—people who have a real interest in abstinence, not technocrats." Richey withdrew preliminary contracts with nonpartisan groups like the YMCA and awarded grants to conservative groups, including the state affiliate of Focus on the Family.

In South Carolina, former Gov. David Beasley, a Republican who once tried to ban the state health department from distributing condoms to teens in public clinics, bypassed the competitive bidding process most states employ to award grants, and handed its entire $1.3 million annual allotment to Badgley's Heritage Community Services. (Despite its state funding, Heritage programs have not always been welcome. In Badgley's home turf of Charleston County, the school board blocked Heritage programs from public schools in 1998 in order to continue teaching about contraception.)

And in Arkansas, Republican Gov. Mike Huckabee, formerly the president of the Arkansas Baptist State Convention, also appointed an abstinence commission. Whereas only a decade ago, state officials were urging school-based health clinics to distribute contraception, today Arkansas is pushing a $1.4 million-a-year abstinence program run by conservatives.

Not surprisingly, state abstinence programs have attracted passionate criticism from liberals, and some programs have faced charges of fraud and mismanagement. The first round of contracts awarded by Arkansas' abstinence program was delayed by the state legislature, which suspected bias in the grant review process toward groups aligned with national conservative organizations; the legislators subsequently learned that the governor's abstinence com-

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mittee had kept no meeting minutes or governing bylaws. In Louisiana, the ACLU recently won a suit in federal court against the state after discovering that some abstinence grant recipients had used the money for proselytizing, including lessons on the Virgin Mary as an exemplar of abstinence, and for prayer vigils outside abortion clinics.

Well-Endowed

To circumvent skeptical state health departments, conservative lawmakers are maneuvering more federal money directly into the hands of abstinence enthusiasts. In 2000, Rep. Ernest Istook (R-Okla.) secured an amendment to the annual Labor-HHS-Education appropriations bill to fund a new $20-million abstinence program. (In order to secure its passage, Istook struck a bargain with House Democrats to drop a Republican-backed provision limiting teens' access to Title X-funded clinics.) The following year, he successfully doubled the program budget to $40 million. Istook's program allows nonprofits—notably, conservative and faith-based groups in states where abstinence education is unpopular—to apply directly to the federal government for funding.

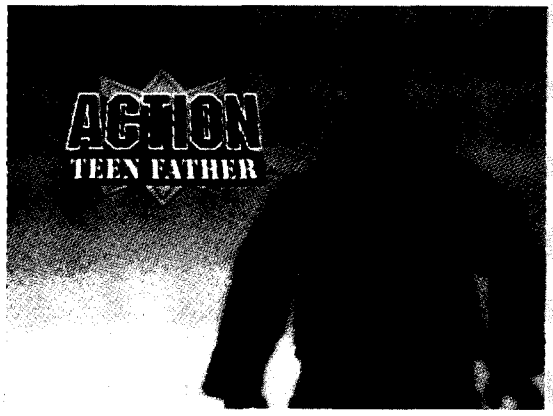
Nationally, conservative activists organize grant-writing workshops to help local abstinence groups capitalize on federal funding. When HHS announced Istook's new grant program, its office was flooded with nearly 400 applications. "If it hadn't been for us, no one would have known about this program," says Leslee Unruh, founder and president of the National Abstinence Clearinghouse in Sioux Falls, S.D. Unruh used her database of addresses and emails, garnered from a decade on the abstinence speaker circuit, to get out the word and train grassroots activists how to approach the federal govern-

As Seen On TV

Besides training enthusiastic young abstinence educators, Heritage Community Services is now working on what president and founder Anne Badgley calls "a phenomenally exciting project ... an infomercial!" The idea for the 30-minute presentation extolling the physical and psychological benefits of abstinence came from similar paid product placements Badgley has seen on television. "It's like when you're selling exercise equipment," she explains. "You want to make people think, 'Wow, that sounds cool!'"

Several state abstinence programs have hired major advertising firms to design 30-second television and radio spots like Texas's catchy "Zip-It" campaign, which features original hip-hop music, a close-up shot of a DJ scratching an LP, and the phrase "You Don't Have To Prove Your Love" flashing across the screen. "The point was to make this something that's really hip and cool for the kids," says Sherry Matthews, president of Sherry Matthews Advertising Agency in Texas, which produced the ad for around $395,000.

Idaho's state campaign tried using reverse psychology to show teens what was potentially uncool about having sex. Their television spots, produced by es/drake ad agency in Boise, Idaho, were spoofs of ads for popular dolls. "Action Teen Father," for example, resembles a Ken doll with a mullet haircut and faded jeans, and comes complete with a crib, diaper bag, "Action Baby Buggy," and food stamps. (His girlfriend, "Teen Mommy Darcie," is sold separately.) Although the message—"Teen parenting isn't fun"—flashes in the final frame, some younger viewers apparently didn't get the point. According to Shelly Rambo Robertson of the Idaho Department of Health, a few parents complained that their children thought the toys were genuine and wanted to buy "Teen Mommy Darcie."



Whether such ads can influence behavior is a hotly contested question, with criticism coming from both liberals, who find the abstinence message unrealistic, and conservatives, who think television isn't the way to sell it. Unfortunately, most evaluations of media campaigns reveal little about their impact on teen pregnancy and STD rates. A 1999 study by the Maternal Child and Health Bureau, which administers the federal abstinence grants, discovered that more states measured success by tracking additional media coverage than by tracking changes in teen sexual activity.

—Christina Larson

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ment for money.

In her efforts to tutor abstinence educators about grant proposals, Unruh has gotten "nothing but support from the Bush administration," as she told *The Washington Post*. Michelle Lawler, the HHS program manager overseeing abstinence funding, has given tips on writing grant applications at the National Abstinence Clearinghouse's annual conferences for the past two years. When the inaugural grants for Istook's program were announced last June, the organizational impact of conservatives was evident. Nearly every group that received funding had ties to either the National Abstinence Clearinghouse, a conservative lawmaker, or to a faith-based group.

The portrait of National Abstinence Clearinghouse President Leslee Unruh, her husband Allen Unruh, and President George W. Bush displayed at the registration table of the National Abstinence Conference, held in July in Washington, D.C.

This relationship is, of course, reciprocal. Not only does the Bush administration help prepare conservatives to write winning grant applications, but movement leaders continually remind abstinence educators that growing federal funding for their programs is possible because of the administration's support. At this year's National Abstinence Clearinghouse, held in July in Washington, D.C., a framed photograph of Bush smiling with Unruh and her husband was displayed at the conference registration table, and a giant banner to the left of the speaker's podium proclaimed, "President Bush, thank you for supporting Abstinence-Until-Marriage." The Heritage Foundation's Rector told the crowd, "If it was not for the steadfast support of President Bush today, the survival of [abstinence-until-marriage funding under welfare] would be very much in peril." HHS administrator Wade Horn received a standing ovation after a speech reaffirming the Bush administration's commitment to increasing financial support for abstinence programs.

Market Penetration

Over the past five years, federal grants have spurred the growth, not just of abstinence curricula in many public schools, but also of an entire secondary industry in brochures, media campaigns, speakers, and novelty items to facilitate the new state programs. "All of a sudden, abstinence is a business," says Unruh, who estimates that more than 900 new organizations have cropped up in the last decade. The vast majority of companies developing and marketing abstinence material are, not surprisingly, politically conservative.

Today, for instance, educators nationwide go to longtime Bush adviser Dr. Joe McIlhaney, president of the Austin-based Medical Institute for Sexual Health, for graphic slides depicting late-stage STDs as a deterrent to sexual activity. Conservative think tanks like the Family Research Institute churn out statistics on condom failure rates for abstinence activists to share with schools and youth centers. The National Abstinence Clearinghouse sells books by Focus on the Family founder James Dobson, videos by the Family Research Council, even stickers and keychains emblazoned with slogans such as "I'm Worth Waiting For" and "Pet Your Dog, Not Your Date." The movement has also given rise to "abstinence speakers"—a hot new subgroup of motivational speakers. For $1,500 a day, a classroom planner can book Frank Shelton, a graduate of the Billy Graham School of Evangelism, to preach the good word about abstinence using parables and celebrity impersonations.

These abstinence-product companies eagerly flaunt the stamp of official approval that comes with government sanction. Brochures for the abstinence PEERS Project, for example, advertise being "funded by the U.S. Department of Health and Human Services." The Responsible Social Values Program (RSVP), a training seminar for abstinence educators, includes a starred bullet point on its registration form to suggest that school districts or state health departments spend their allotment of federal abstinence funds on the RSVP program. And a Heartbeats International brochure selling abstinence videos for classroom use outlines its compatibility with any federally funded program.

Some of these organizations would not exist were it not for federal funding. The McLennan County (Texas) Collaborative Abstinence Project, which bills itself as "the Wal-Mart of abstinence products," kicked off with a $747,000 grant and an inception

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banquet that boasted as its keynote speaker no lesser a luminary than then-Gov. George W. Bush. Its funding from private contributions, however, in 2000 was only $100, according to federal tax filings.

The pro-life movement has also tapped into federal abstinence funding by reincarnating many of its "crisis pregnancy centers" (CPCs) as providers of abstinence education. CPCs are counseling centers which advise women to pursue adoption rather than terminate their pregnancies; they are often listed alongside family planning clinics in phone books to lure in women who may be considering abortions. A 1991 congressional inquiry found some CPCs had shown graphic abortion videos to women awaiting pregnancy test results in order to dissuade them from having abortions. Though many centers do provide prenatal care to young mothers, the federal government has largely kept pro-life organizations at arms length since the abortion clinic bombings and doctor murders of the 1990s.

However, CPCs that have transformed themselves into abstinence-educators have recently received federal grants. Several affiliates of Heartbeat International, a network of "life-affirming pregnancy resource centers" won grants under Istook's program. Heartbeat's president, Dr. Peggy Hartshorn, spoke at the National Abstinence Conference on "Why Abstinence and CPCs go together." In South Carolina, Heritage Community Services was founded as an adjunct to Badgley's Lowcountry Crisis Pregnancy Center; though incorporated as separate nonprofits, Heritage and Lowcountry share some staff, including their president.

As a political instrument, the appeal of stoking the abstinence movement lies not just in its ability to finance conservatives' programs, but also to deny money to traditional, secular family planning organizations. Ohio recently declined nearly $1 million from the CDC for HIV/AIDS prevention programs, which SIECUS trains educators to teach, because conservative legislators decided that the curriculum conflicted with the state's exclusionary emphasis on abstinence. Similarly, Florida Gov. Jeb Bush has proposed diverting $1 million from family planning clinics to abstinence education programs. Of course, supporters like Peter Brandt of the National Council on Abstinence Education argue that funding conservative groups at the expense of liberal ones isn't dirty politics, but merely an attempt to ensure equality. "These [abstinence] programs in effect took money away from a monopoly," he says.

Federal abstinence grants sometimes wind up paying for schools to supply students with "Pet Your Dog, Not Your Date" stickers and "I'm Worth Waiting For" key chains.

Trojan Horse

With Bush's blessing, conservatives are pressing for more federal dollars. Rep. Istook, for one, has proposed increasing funding for his program to $73 million—a proposal, which, among other things, would divert $17 million away from the CDC and its HIV/AIDS prevention programs. Although the House voted down the measure, President Bush has since identified it as one of his budget priorities for 2003. The administration's goal is to bring the total funding for abstinence programs to $135 million and put it on par with what the White House cites as the federal funding level for "programs that teach about contraception use." That figure, however, accounts for everything from counseling teens in public clinics to HIV/AIDS hotlines; little of that money gets spent directly on classroom instruction. In contrast, conservatives want virtually all of the federal abstinence money to fund school programs.

Another critical difference is that federal abstinence programs mandate what the curricula must teach (only abstinence instruction), whereas federal programs that teach about contraception are not required to do so by legislative intent. State and local health officials could conceivably spend Title X money on teaching abstinence-until-marriage if they choose. (Some states have, in fact, funded abstinence counseling with federal family planning funds.) Few do, however, because the prevailing mainstream scientific opinion holds that instruction about contraception is more effective in preventing disease and unwanted pregnancy than a pure abstinence message. The American Medical Association, the CDC, and the American Academy of Pediatrics all favor traditional sex education. Even Surgeon General David Satcher, a Clinton holdover, last year released

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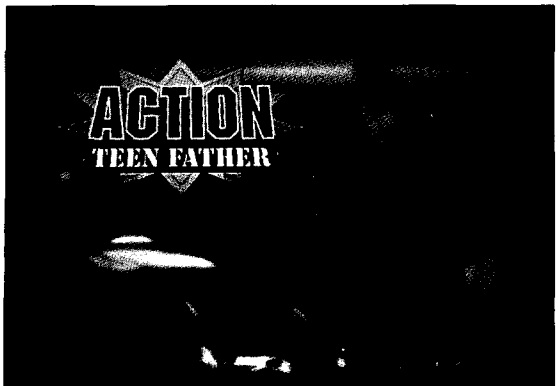

The American Advertising Association awarded its 2002 Service Campaign Award to the "Teen Parenting Isn't Fun" television ads, commissioned by Idaho's state abstinence campaign and produced by es/drake ad agency in Boise.

Open on studio shot of teen father doll with baby carrier.
ANNOUNCER: He's cool! He's tough! And he's ready for action! New Action Teen Father!
Cut to kids cheering, holding doll.
KIDS: Go Action Teen Father.
ANNOUNCER: Action Teen Father
Cut to mailman delivering at a door.
SOUND EFFECTS: Ding dong.
ANNOUNCER: Action Teen Father fights off creditors!
Cut to door opening. Boy holds an Action Teen Father.
BOY A: No one's home!
Cut to mailman's gee-whiz smile.
ANNOUNCER: Action Teen Father works hard!
Cut to doll in fast-food uniform and headset
BOY B: (points to Action Teen Father) You're fired!
Cut to doll driving a beat-up vehicle with baby seat.
ANNOUNCER: Uh-oh, baby had an accident.
Cut to kid with the doll, diaper flies from the doll's hand.
ANNOUNCER: New diaper action grip saves the day!
Cut to excited kids giving high-fives.
BOYS: (in unison) Way to go!
BOY A: On to unemployment!
Cut to product shot featuring Action Teen Father and accessories.
ANNOUNCER: Action Teen Father includes food stamps and action Baby Buggy! Action Burger Uniform sold separately.
SOUND EFFECTS: Baby crying.
TITLE (over black screen): Teen parenting isn't fun. Sex lasts a moment. Being a parent lasts a lifetime.

Joe Quatrone, writer; Lisa King; producer; Dan Appel, director; Green Dot Films, production company.

an extensive report on human sexuality that questioned the value of abstinence-until-marriage education. (The Bush administration responded by cutting Satcher's staff, effectively silencing him for the remainder of his term.)

Though evidence that abstinence programs work is extremely thin, even by conservatives' own admission, advocates portray that weakness as a further reason for increasing program funding. "Unless we put money there to find out whether it works," says HHS Deputy Secretary Claude Allen, "we will never know." Yet research to distinguish potentially promising programs from the duds is hampered by ambiguities in the welfare reform law itself. Despite being explicit in the particulars of its purpose ("a mutually faithful monogamous relationship in the context of marriage is the expected standard of human sexual activity"), the legislation avoids actually defining sexual activity (does oral sex count as sex?), which has led researchers to quibble over what it means to measure changes in rates of teen sex. Of course, many grassroots educators are deeply reluctant to gather any data about their students' sex lives, arguing that even posing questions for the sake of research could undermine their mission to exclusively promote abstinence.

When President Bush unveiled his 2003 budget in February, he argued that federal funding should be linked to measured results of government programs. Under Bush's accountability plan, the Office of Management and Budget will grade each program, and those deemed ineffective or inefficient will be axed or trimmed. Bush's budget director Mitch Daniels pledged, "There are plenty of places to reduce spending when you separate the effective programs from the ineffective programs. This budget will take a long step toward governing with accountability."

But those same rules don't seem to apply when it comes to abstinence programs—a sure sign that such programs are more about politics than public health in the administration's eyes. Abstinence-until-marriage funding is part of a broader administration strategy of using federal largesse to feed and broaden its electoral base that includes imposing steel tariffs to win union votes, boosting crop subsidies to woo farmers, and buying back oil leases in Florida to help Gov. Jeb Bush win reelection. Despite its professed fealty to the GOP's historic small-government conservatism, White House support for abstinence programs is yet another sign that the Bush administration has decided that if you can't beat 'em, join 'em. ●

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Terrorism and the English Language

This year's crop of terrorism books offers thrills over insight.

BY LORRAINE ADAMS

WE ARE COMPLEX AND SHADOWY IN a growing worldwide network. The Hamburg and Brooklyn cells are closely linked. Our translator drives, curling dagger and pager on his century-old embroidered belt. Clue: Sleepers are friendly but standoffish. Over the sand and through the wind, to bin Shajea's compound we go; kidnappers are near, but our Jeep is strong... Wait, on this map, Al Gama'at al Islamiyya and Al Muhajirou are in Philadelphia.

Lost? Your location is the world of terrorism non-fiction. We are not in an airport paperback or violent teen video. Authors who wrote these words and scenes wish the books that contain them to be taken seriously. We are reading a Harvard law professor, a Middle East scholar, a CNN analyst educated at Oxford, and a PBS documentarian. These voices come to us from Simon & Schuster, W.W. Norton & Co., and Yale University Press. Scrambling reduces these works unjustly. Yet it is impressions, rather than the revelations their blurbs promise, that stay in mind when reading the terrorism books debuting this fall.

The professor teaching Western Terrorism Literature 1970-2002 might open with the observation that the works of the period have their roots in *The Hardy Boys* adventure stories—*The Sinister Signpost, The Secret Warning, While the Clock Ticked, Mystery of the Desert Giant.* A common leitmotif: Only real men are capable of saving an affluent, soft society from foreign predation and apocalypse. The period's overarching theme: Terrorists are bad.

Such a literature might be all we needed before 19 men incinerated 3,000 innocents by flying commercial planes into the World Trade Center, the Pentagon, and a Pennsylvania field a year ago. Reading the post-attack books, I thought often of George Orwell's 1945 words on bad writing: "A man may take to drink because he feels himself to be a failure, and then fail all the more completely because he drinks." Bad writing works the same way, Orwell wrote. It "becomes ugly and inaccurate because our thoughts are foolish, but the slovenliness of our language makes it easier for us to have foolish thoughts." I have always believed this. But in truth, I had forgotten about it. It took these books during these times to bring this prodigal back to creed.

Not all of the fall terrorism books will be slovenly or foolish. But they will come in great numbers. "Whether publishers are motivated by plucky optimism or cannibal instincts, they are pushing an astonishing number of September 11-related books into the market," *Publishers Weekly* warned this summer. "Estimates for the fall season range from 65 titles (a number floated at BookExpo America) to 150 (the number calculated by Ingram)—clearly a high-water mark for book tie-ins to a single news event."

In such a crowded field, the author with name recognition has an advantage. As in political campaigns, television is mainlining, newspapers only snorting. Television is expensive. But writers never pay for it as candidates do. Or rather, they pay, but the currency is not cash. It is the degree to which they are willing to leave out what they know. Some might call this intellectual dishonesty. But

LORRAINE ADAMS *is a* Washington Post *writer and book reviewer.*

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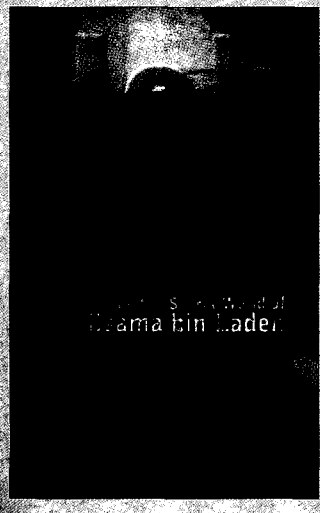
Taxonomy of Terror

READING THESE BOOKS, ONE longs for rest. Finding the stone of fact or the relief of insight amid the acreage of bloviation takes deadening patience. This is not due merely to the accumulation of Arabic names, organizations, villages, movements, concepts—Abdullah Azzam, Omar Abdel-Rahman, Sidi bel Abbes, Souk Ahras, Hezb-ut-Tehrir, Hizb-i-Nehzat-i-Islami, hijrah, hijab, shehada, sharia, ummah, ulema. As a student of elementary Arabic, I managed. What pained was trying to domesticate the writhing abundance of books into recognizable shapes. I capitulated, finally, to an imperfect taxonomy.

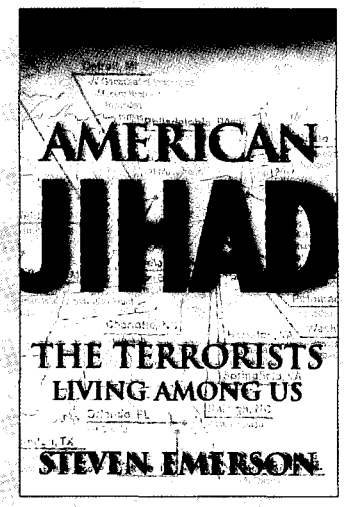
This fall, the most recognizable phylum is the journalistic compilation. All contain the we-were-eating-bagels-we-heard-a-boom story. Among the dozens: *What We Saw* by CBS News with an introduction by Dan Rather. *Out of the Blue* by Richard Bernstein and the staff of *The New York Times*. *Ground Zero: The Young Reporters Who Were There Tell Their Stories*, edited by Chris Bull and Sam Erman.



The second discernible grouping is dramatic narrative. Two of its celebrity practitioners go for the goose bumps and tear ducts. On the bumps is *Washington Post* editor Bob Woodward, whose publisher Simon & Schuster is preparing 600,000 copies of *Bush at War*. Joining him is *Washington Times* White House correspondent Bill Sammon with *Fighting the War on Terrorism Back From Inside the Bush White House's*. In the ducts is James B. Stewart, who once penned *Den of Thieves* (1980s Wall Street, Ivan Boesky, Michael Milliken). Now he writes *Heart of a Soldier, A Story of Love, Heroism and September 11th* (2000 World Trade Center, Rick Rescorla, Vietnam veteran, and Morgan Stanley security chief).

The third cohesion, of a sort, is high-dudgeon investigative. Publisher Regnery brings columnist Michelle Malkin's *Invasion: How America Still Welcomes Terrorists Criminals and Other Foreign Menaces to Our Shores*. *Washington Times* investigative reporter Bill Gertz gives us *Breakdown: How America's Intelligence Failures Led to September 11*. Doubleday brings *Weekly Standard* contributor Stephen Schwartz and his *The Two Faces of Islam: The House of Saud From Tradition to Terror*.

In the internationally and intellectually acute genus, we have Scottish scholar Malise



Ruthven's book from Granta, *Fury for God: The Islamist Attack on America*. It joins a welcoming species of what I've come to think of as the intelligent literates. Two of the best are Harvard University Press's *Jihad: The Trail of Political Islam*, an English translation out this spring of French scholar Gilles Kepel's 2000 book, and Yale University Press's *Jihad: The Rise of Militant Islam in Central Asia* by Pakistani journalist Ahmed Rashid, out this March.

There is the "a former official said" book. Clinton courtiers Daniel Benjamin and Steven Simon (near-the-top terror boys, National Security Council, 1994-1999) can be expected to justify their judgments in *The Age of Sacred Terror*, due out from Random House in October. The pair wrote a *New York Review of Books* essay last December defending the 1998 bombing of a Sudan factory in retaliation for the East Africa Embassy bombings. The plant, Clinton said, made nerve gas. Forensics later said otherwise.

—*Lorraine Adams*

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they're not really lying. Lying is when your mother asks you if you ate the cookies and you say no. This is cookie eating for gifted adults.

Terrorism writers who were on television the most this past year made the bestseller lists this past year. After September 11, Peter L. Bergen, the author of *Holy War Inc.*, has been on the airwaves (and sometimes the radio waves) at least 800 times. Bergen has been a CNN producer in foreign postings for a decade. He went from behind the camera to onscreen as its terrorism analyst after the September 11 attacks. With a British accent and an Oxford history degree, he was calm, reasonable. His book made the *New York Times* list, and others. Right behind him was Steven Emerson, author of *American Jihad: The Terrorists Living Among Us*, with almost 400 appearances. He, too, made the bestseller lists. Next came Harvard law professor Alan M. Dershowitz with 340 appearances. Behind, but still making a strong showing, was Middle East scholar Daniel Pipes, with about 150. Dershowitz and Pipes have new books this month. Their television exposure might well make their books bestsellers.

By the time *Holy War Inc.* was between hard covers, its thinking was as commonplace as its writing was bad.

Together, these four men frame the way terrorism is discussed for millions of viewers, and for hundreds of thousands of readers. The prose of Bergen, Emerson, Dershowitz, and Pipes avoids the problems of Orwell's time—jargon, long words, passive tense, pretentious diction. Nor does their prose rationalize the indefensible. As Orwell famously put it, "People are imprisoned for years without trial, or shot in the back of the neck or sent to die of scurvy in Arctic lumber camps: this is called elimination of unreliable elements."

Hiding truth under abstraction was the bad writing of Orwell's day. In our day, Bergen, Emerson, Dershowitz, and Pipes hide truth under entertainment. Their books use hackneyed plotlines, stock characters, and omission of inconvenient facts. They replace the blunt actuality of terrorism with the reassuring thematics of the adventure tale, the spy thriller, the cloak-and-dagger story, even Perry Mason. Their books exhibit the symptoms that Orwell deplored—"staleness of imagery" and "lack of precision."

Omar Sharif Meets CNN

In television-speak, Bergen was "one of a handful of Western journalists to have interviewed the world's most wanted man face to face." Bergen, charmingly free of self-regard, puts it this way: "When you go looking for Osama bin Laden, you don't find him: he finds you," he writes. "It was March 1997 when the phone rang."

We hear bin Laden's booker say, "There are matters I do not want to discuss on the telephone." We get "games of chicken" among the "mangled hulks of buses" on the Grand Trunk Road. We get cocktails at the Pearl Continental Hotel. We get Afghanistan, "the very word is an incantation … something out of Tolkien's *Lord of the Rings*." We get "mystery" and "movement back into a time of medieval chivalry and medieval cruelty." After a blindfolded drive, we finally meet the man behind the buildup. Bergen describes him thus:

"He is a tall man, well over six feet, his face dominated by an aquiline nose. Dressed in a turban, white robes, and a green camouflage jacket, he walked with a cane and seemed tired, less a swaggering revolutionary than a Muslim ascetic." Bin Laden "rails" in Arabic, coughs softly, drinks tea, smiles ambiguously. Others in the room listen to his "diatribe" with "rapt attention." That's it. The others could be wearing space suits for all Bergen tells of them. The information culled from bin Laden's soliloquy: Muslims hate Americans. His men were among those who killed U.S. soldiers in Somalia. Bergen supplies context: "This was the first time that bin Laden had told members of the Western press that American civilians might be casualties in his holy war."

Who does this serve? Not the reader, who knows bin Laden has killed 3,000 Americans, wears a white scarf on his head and has a long nose. It's hard to accuse Bergen of self-congratulation, but it's easy to wonder why writing about incantations and diatribes shows anything more than Bergen loves foreign corresponding and bin Laden is a madman. Perhaps 90 percent of his book was written when September 11 turned the topic from a foreign-policy-establishment backgrounder to a public preoccupation. But the conventions of the adventure tale were as distorting before September 11 as after.

Bergen's interviews too often serve adventure more than insight. He explores Yemen after al Qaeda terrorists have bombed the U.S.S. Cole and killed 17 American sailors, arranging to visit Muhammad bin Shajea, a tribal leader he hopes will "shed some light on their nation's most infamous son." The government provides a Toyota pickup with soldiers and a machine gun bolted to the floor. Our intrepid narrator loses them by pretending to

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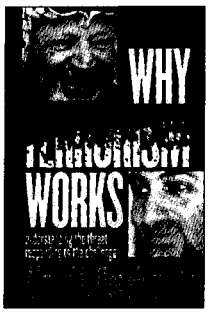

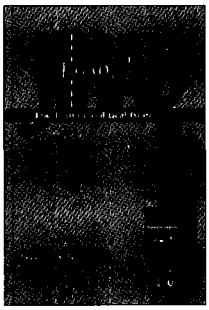

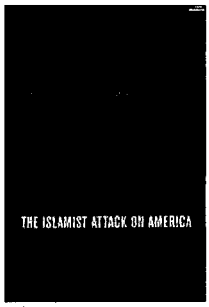

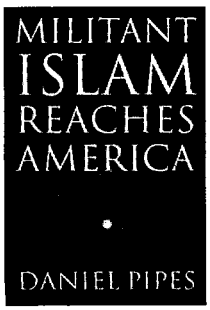

visit a tourist site and presses on alone. Suddenly, bin Shajea's gunmen appear and climb aboard. They drive for miles across "barren rock-strewn hills where we saw not another living being ... That is, until two shots rang out above our heads. Bin Shajea's lead gunman, a dead ringer for Omar Sharif circa *Lawrence of Arabia*, leaped out of our van, his well-oiled Kalashnikov at the ready." They escape the would-be kidnappers, and bin Shajea tells Bergen about how bin Laden wanted to set up his terrorist camps in Yemen, but the tribal leaders told him no. Buildup equals so what.

Consider also Abdullah Azzam, a Palestinian who appears in so many of the terrorism books it would be possible to write a term paper titled, "Different Versions of Abdullah Azzam in American and European Terrorism Non-Fiction." Bergen introduces us to Azzam as a college professor of bin Laden's in Egypt: "It was there that bin Laden first became associated with the Muslim Brotherhood, an Islamist group, and first came under the spell of two prominent teachers of Islamic studies, Abdullah Azzam and Muhammad Qutb. The influence of these men on bin Laden cannot be underestimated—it's as if Ronald Reagan and Milton Friedman's brother had taught him about capitalism. Azzam would go on to create the modern world's first truly international jihadist network." What does that mean, exactly?

Unlike some books I read, Bergen's is not marred by chronic misleading. Maybe the adventuring was intended to thin the hedge of Arabic names, add levity, and turn pages faster. Whatever the cause, by the time *Holy War Inc.* was between hard covers, its thinking was as commonplace as its writing was bad.

Revenge of the Infidel

Steven Emerson, like Bergen, came from CNN. He was a domestic correspondent between 1990 and 1993. Emerson gained attention with a 1994 PBS documentary he made called "Jihad in America," warning that militant Islam was organizing inside America.

Muslim and Arab-American organizations trying to correct the stereotype of Muslims as terrorists were devastated. They and Emerson came to hate each another. On April 19, 1995, a truck bomb at the Murrah Federal Building in Oklahoma City killed 168 people, including 19 children. Emerson speculated on television that militant Muslims might be to blame. When it turned out to be anti-government activist Timothy McVeigh, the era of distrusting Emerson began. It ended when the planes flew into the World Trade Center. Simon & Schuster published his first book in 11 years this February. It is Emerson's "I told you so."

But did he? In the book's prelude, Emerson finds himself with nothing to do on assignment for CNN in Oklahoma City on Christmas Day 1992. He wanders into the convention center and finds coloring books on "How to Kill the Infidel," and others preaching "jihad" and extermination of Jews and Christians. He goes to more conferences in more places. His translator tells him the speakers are representatives of Hamas, Hezbollah, the Muslim Brotherhood, and Palestinian Islamic Jihad.

Emerson tells readers he discovered the FBI could do little to monitor these radical Islamic groups one of its deference to civil liberties. After the first World Trade Center bombing in 1993, Emerson left CNN to do what he alleged the FBI could not. He started The Investigative Project and hired assistants. After "Jihad in America" aired, Emerson writes, FBI intelligence learned of a plot to kill him. This chapter, titled "How I Made Jihad in America and Lived to Tell about It," ends with Emerson trying to tell disbelieving U.S. officials that a big Islamic attack on America is on its way.

In the Clancyesque prose of this book, Emerson writes like a case officer, divulging facts to his readers "on a need to know basis." Take the first episode, starring that terrorism-book archetype, Abdullah Azzam, whom Emerson introduces as a "Palestinian mullah" who made "the first calls for worldwide jihad." Cut to Emerson in Israel. A taxi driver directs him to Azzam's brother-in-law. The brother-in-law tells Emerson that Azzam had relatives in Chicago. Cut to Bridgeview, Ill. A nephew of

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Azzam's says one of Azzam's sons is "trying to hold together his father's organization in Peshawar." Cut to the Bridgeview mosque. Emerson writes, "I could tell immediately we were deep in the heart of Hamas territory." How did Emerson know? The camera pans to posters: "It was all in Arabic, but you could see daggers plunged into Jewish hearts wrapped up in American flags."

Zoom in to prayers in the mosque. "The Friday service was a rather strange experience. Out of 800 people, I was the only one wearing a red ski jacket." Cut to the mosque's leader, Jamal Said. Emerson asks him if he had known Abdullah Azzam. "He was very defensive. 'I've never met him,' he said quickly and then dismissed me." The scene ends with a voice-over narration: "Earlier that year, two Hamas operatives, congregants of the mosque, were arrested in Israel for transferring money from the United States to terrorists on the West Bank. One of these men, Mohammad Jarad, told the Israelis that he was sent on his mission by Jamal Said."

Emerson doesn't tell his readers that Azzam came to the United States with the blessing of the CIA, FBI, and State Department to recruit American Muslims to fight the Soviets in Afghanistan. He also leaves out that Azzam was four years dead when Emerson began the chase for Azzam's American network. As for Jarad, Israeli police did arrest him in 1993. He served a six-month sentence for "attempting to rebuild the infrastructure of the Hamas," according to the Israeli consulate in Chicago. He returned to the United States legally.

There are other omissions. One of the bigger ones is that Emerson's book says he monitored the precursor to al Qaeda. But his focus for the last 10 years was on terrorist groups that have never attacked American soil. And they didn't on September 11. None of the 19 hijackers was from those groups.

There is a map at the end of Emerson's book, "Current and Recent Militant Islamist Groups in the United States." Terrorist groups Al Gama'at al Islamiyya, Hamas, Hezbollah, and Al Muhajiroun are in Philadelphia. The Algerian Armed Islamic Group is in Seattle, San Diego, and Los Angeles. There are many more in many cities. To the common reader, the United States looks like occupied territory.

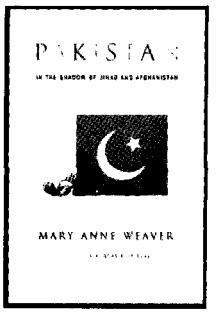
If it doesn't fit, you must acquit

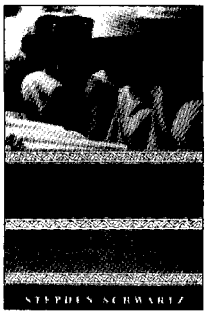
Thanks to Claus von Bülow and O.J. Simpson, Alan M. Dershowitz, Harvard law professor, is famous. He helped to acquit Simpson and to overturn von Bulow's conviction. He has written books about both cases. One was made into a movie.

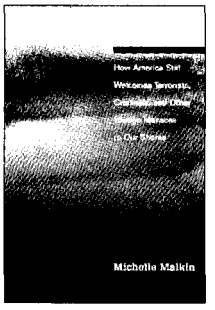
Since Simpson, Dershowitz has busied himself with a self-reinvention that has included books such as *The Genesis of Justice: Ten Stories of Biblical Injustice That Led to the Ten Commandments and Modern Morality and Law*. This month, Yale publishes *Why Terrorism Works*. In it, he argues that terrorism has brought Palestinians more land, Israeli withdrawal from Lebanon, and hope of a state. From here on, every attack should take land from any future Palestinian state. On the home front, Dershowitz says we can do "far more than they are actually doing, even if law and morality require us to fight terrorism with one hand tied behind our backs." One thing we can do is torture.

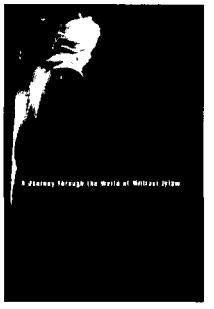
Dershowitz says torture is constitutional. The Fifth Amendment prohibits compelled self-incrimination, and he allows that statements given under torture may not be introduced in court as proof of guilt. But the 1972 Supreme Court ruling in *Kastigar v. United States*, he writes, allows torture—if a suspect is first given immunity from prosecution. Consulting Kastigar, a layperson notices that torture never entered into the facts of the case. The Supreme Court ruling merely says that a witness who has entered willingly into an immunity agreement must uphold his end of the bargain, even if it means incriminating himself.

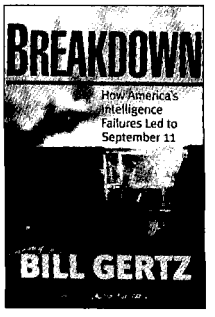
Next is the Eighth Amendment. Dershowitz writes that its bar on cruel and unusual punishment applies only to punishment after conviction. He quotes selectively from the 1977 Supreme Court ruling in *Ingraham v. Wright*, telling the reader that the case affirmed a "long-standing lim-











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itation" that the Eighth Amendment bars cruel punishment only for those "convicted of crimes." So, cruel and unusual punishment before conviction is okay. But in *Ingraham*, the justices merely held that the amendment didn't apply to corporal punishment in schools.

Next come the Fifth and Fourteenth Amendments. Here Dershowitz relies on the 1984 11th Circuit Court decision in *Leon v. Wainwright* . The case concerns a kidnapper who tried to pick up ransom money, only to be ambushed by police who hit him until he told them of the victim's whereabouts. Later, the kidnapper confessed at the police station. The defendant said the confession was invalid because of the previous beating. The court didn't agree. But Dershowitz says that if the courts think it's okay to beat to find one victim, they surely wouldn't mind torture to save thousands.

With the Constitution cleared, Dershowitz heads for the moral hurdles. He writes of how he was criticized for "even discussing torture" (in an op-ed piece in the *Los Angeles Times* on Nov. 8, 2001). His critics, he reports, insisted torture does not work, arguing that "it produces many false confessions and useless misinformation, because a person will say anything to stop being tortured." Dershowitz counters, "The tragic reality is that torture sometimes works, much though many people wish it did not. There are numerous instances in which torture has produced self-proving, truthful information that was necessary to prevent harm to civilians."

He mentions only one instance, that of Philippine police torturing al Qaeda terrorist Abdel Hakim Murad in 1995. Dershowitz footnotes his source. It is a Sept. 23, 2001 *Washington Post* story. Dershowitz leaves it at that. Further reading shows that the *Post* story has two sources, "an investigator intimately knowledgeable of the investigation," and *Under the Crescent Moon*, a book by journalists Marites Vitug and Glenda Gloria.

Here is the entire quote in the *Post* from *Under the Crescent Moon*: "For weeks, agents hit him with a chair and a long piece of wood, forced water into his mouth, and crushed lighted cigarettes into his private parts. His ribs were almost totally broken and his captors were surprised he survived." Turning to the book, there are no footnotes nor is the source of this passage in the text.

Dershowitz then goes on to draw conclusions not in the *Post* story. He writes that after torturing Murad, the Filipino officers "turned him over to American authorities, along with the lifesaving information they had beaten out of him." Dershowitz makes it seem that with bombs ticking on airplanes, lives were spared by Murad's torture. What solved the case, court records show, was that Murad was stupid enough to have started a fire from the explosives, which brought police. In the apartment, they found a computer that detailed the plot, which entailed using liquid explosives to simultaneously destroy 12 commercial planes carrying Americans. Police easily confiscated the explosives in the apartment; the computer supplied names and numbers for the plotters. All were arrested and convicted.

Dershowitz, who has distorted the plot and left out the computer, concludes that police may torture a terrorist if a bomb is about to blow and the terrorist won't reveal its location. Dershowitz advocates the use of advance judicial approval obtained through a "torture warrant." The goal, he writes, is "to reduce the use of torture to the smallest amount and degree possible, while creating public accountability for its rare use."

The Enemy Within

Daniel Pipes has a Ph.D. in Middle Eastern history from Harvard. He is the director of the Middle East Forum and a columnist for the *New York Post* and the *Jerusalem Post*. He has served in the departments of state and defense. As a writer of more than 10 books on Islam and the Middle East, Pipes has been on television at least 150 times since September 11.

He joins the fall terrorism books with *Militant Islam Reaches America*, which puts forth the proposition that "the danger within is no less ominous than the danger abroad." Pipes is dismayed by George W. Bush's public statements that terrorism, not Islam, is the problem. "The situation is more complex than the president would have it. The Muslim population is not like any other, for it harbors a substantial body—one many times larger than the agents of Osama bin Laden—who have worrisome aspirations for the United States. Although not responsible for the atrocities in September, these people share important goals with the suicide hijackers: both despise the United States and ultimately wish to transform it into a Muslim country."

Although he says there are many others, Pipes names five men—Ismail al Faruqi, Siraj Wahhaj, Ahmad Nawfal, Zaid Shakir, and Shamim A. Siddiqi—to support his views. If he interviewed them, he did not include it in text or notes.

Pipes identifies al-Faruqi as a Palestinian professor at Temple University who is a "key figure" in the movement to make the United States an Islamic state. Pipes supplies one quote from al-Faruqi to demonstrate: "Nothing could be greater than this youthful, vigorous, and rich continent turning away from its past evil and marching forward under the banner of Allah Akbar, God is great." A footnote explains that al-Faruqi wrote this in an essay collected in a 1983 book. Pipes neglects

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to mention that the 65-year-old Al Faruqi and his 59-year-old wife were murdered in their Philadelphia home in May 1986—a full 15 years before the World Trade Center and Pentagon attacks.

Wahhaj leads a mosque in New York's Bedford-Stuyvesant neighborhood. In 1993, Pipes writes, Wahhaj was recorded on videotape telling a New Jersey Muslim audience that a Muslim state should replace the American secular state. In addition, Wahhaj was a character witness for Omar Abdul Rahman in the 1996 conspiracy trial in which Rahman was convicted of plotting to blow up the United Nations, the Federal Building, and the Lincoln and Holland Tunnels. "The U.S. attorney for New York listed Wahhaj as one of the 'unindicted persons who may be alleged as co-conspirators' in the sheikh's case," he says.

Pipes leaves out that there were 172 unindicted co-conspirators in the case, and that Wahhaj also testified against terrorists, in the East Africa Embassy bombings trial on March 29, 2001. "Remember what Imam Siraj Wahhaj said," prosecutor Kenneth Karas told the jury. "No religion kills innocent people."

Ahmad Nawfal lives in Jordan, but Pipes says he speaks often at American rallies and quotes Nawfal as saying during one of them that if Islamists "stand up, with the ideology that we possess, it will be very easy for us to preside over this world again." A footnote indicates this is from a videotape of a 1989 lecture in Kansas City. The quotes Pipes cites from Shakir and Siddiqi come from more than decade-old materials—a 1992 videotape and a 1989 pamphlet, respectively.

Pipes's other worry is "sleepers," "seemingly law-abiding individuals who live quietly and inconspicuously near the scene of their future operations, waiting for orders to spring into action." Pipes says catching sleepers has been hampered by regulations, immigration law, and prohibitions on ethnic profiling. Ethnic profiling remains illegal. But the Foreign Intelligence Surveillance Act (FISA) has provided for the surveillance of domestic terrorist groups since 1978. The FISA court approves about 1,000 surveillance warrants annually, and has rejected only a single application from the government since its inception. Since the Cold War ended, most of these warrants targeted Islamic groups.

Pipes says that immigration law does not consider membership in a terrorist organization as grounds to exclude a foreigner. The Anti-Terrorism and Effective Death Penalty Act, passed in 1996, gave the State Department the power to designate foreign terrorist organizations. Under the law, the INS can bar (and has barred) members of those groups from entry.

Pipes lists 42 "telltale indications," to help citizens spot sleepers: Sleepers avoid contact with the larger society by being "friendly but standoffish." They enroll in university studies in the liberal arts, and then switch to engineering or the sciences. They choose to live in areas where "many cultures are represented and an easy-going attitude toward different customs is evident (northern New Jersey, southern Florida, Leicester or Bradford in England, Hamburg in Germany)."

The author of *American Jihad* says he monitored the precursor to al Qaeda. But his focus for the last 10 years was on terrorist groups that have never attacked American soil.

Reading Rahman

For more than 20 years, Mary Anne Weaver has written about the Muslim world. In 1999, Farrar, Straus and Giroux published her first book, *A Portrait of Egypt: A Journey through the World of Militant Islam.* Weaver has a passion to know, not bicker. She refreshes my belief in interviewing, on the record, with names firmly attached. She asks questions I want to ask, and lets me listen to full answers. She follows up. She assumes my intelligence by summoning context.

In her prose, I found the Abdullah Azzam and the Osama bin Laden that Bergen, Emerson, Pipes, Dershowitz, and the other terror books truncated, or left out entirely. Azzam was bin Laden's philosophy professor in college. Azzam was a man who hated the Israelis, wanted their women and children dead. But he devoted his life to recruiting Muslims to kill Soviets, not Israelis.

When the U.S.S.R. invaded Afghanistan, Azzam went to help because the Afghans were Muslims. It was his idea, and it was a new one. Bin Laden, in his twenties, liked the idea of Muslims from many countries helping each other. His country was a mess. His rich family made its wealth from construction for the Saudi royal family, but bin Laden, as college boys do, rebelled. He said he cared that jobs for the middle class were scarce, and hard-working people under the Saudi monarchy couldn't even vote to change things. Worse,

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the family pretended to be the strictest Muslims. But bin Laden had played with them as kids, known them as young men. It was all playboying, while the little people lived by the rules. The pious middle class took it without complaint. To bin Laden, his college professor's idea of an Islamic volunteer corps to help the pathetic Afghans was radical chic.

Azzam's closest friend was Omar Abdul Rahman, a "fiery cleric" in this fall's terrorism books. Rahman was from Egypt. His country was another dictatorship, with a "president" unelected, a pious middle class, and too many jobless college boys. He was old and frustrated. It was great to escape the home mess for the purity that was helping Afghan refugees rise out of Peshawar camps to fight Soviets. "They cut vastly different figures, Sheikh Omar and Sheikh Azzam, as they toured the Peshawar refugee camps and traveled together inside Afghanistan: one, a short, blind man wearing a red-and-white fez-like cap who, because of lifelong illness, looked much older than his years; the other, tall and strikingly attractive, in his Palestinian kaffiyeh and Afghan tribal robes. But both men—who produced hundreds of audiotapes and videocassettes popularizing the jihad—were exceedingly charismatic in their different ways."

The CIA loved them. The college boys with no jobs loved them more. As Rahman traveled in and out of Peshawar between 1985 and 1990, Weaver writes, his "stature continued to grow, which pleased the CIA and Special Forces officers who were there." Then, in 1989, his friend Azzam was murdered by killers still unknown. By 1992, the Soviet Union had withdrawn from Afghanistan and collapsed. "In July 1990, after visiting the grave of Sheikh Azzam, Sheikh Omar left Peshawar for the last time. He flew first to Saudi Arabia, then to the Sudan and onward to New York, traveling on what would be his last U.S. visa issued by an undercover agent of the CIA."

Three years later, an FBI sting in New York brought Rahman's arrest for conspiracy. The plot, among other things, would have blown up the Lincoln and Holland Tunnels. Pipes, Dershowitz, and Emerson lead readers to believe preaching like Rahman's is not criminal under U.S. law because of soft notions about free speech. But a New York jury convicted Rahman.

Sightless from diabetes and in his sixties, Rahman is in solitary confinement—no mail and no calls apart from his lawyers—at a Midwest federal prison. He is conclusively jailed, but his words are harder to confine. After September 11, the Justice Department indicted Rahman's New York lawyer Lynn Stewart, charging she had transmitted messages from Rahman to militants in Egypt. The indictment did not mention any murders Rahman's messages ordered or caused. Some defense lawyers who read the indictment worried the government had gone too far.

Weaver interviewed Rahman three times. In one meeting at the New York jail where he was awaiting trial, she asked why militant Egyptians had stabbed the elderly Nobel laureate novelist Naguib Mahfouz. Rahman's answers reveal a man able to chase one part of his mind into corners he can dissolve with another part of his mind.

At first, Rahman said Islamic militants could not be responsible. "Why?" Weaver asked. They knew where the novelist was for decades, he replied. Why stab now? he shrugged. Weaver then asked Rahman if he issued a fatwa declaring Mahfouz an apostate. Rahman said he did not. He elaborated: Before Mahfouz's stabbing, a journalist had interviewed Rahman about another matter entirely, Salman Rushdie's *The Satanic Verses*. Rahman told Weaver he told the reporter that if "we had punished Naguib Mahfouz for what he wrote in *Children of Gebelaawi*," Rushdie would "never have dared to write that book."

Weaver asked, "How should Mahfouz have been punished?" Rahman explained that Mahfouz would be brought before a committee of religious scholars who would judge whether his novel had abandoned Islamic beliefs. Mahfouz could have presented a defense. If the scholars judged him guilty, he would be given a chance to repent.

"And if he doesn't?"

"Then he will be executed."

Young men often asked Rahman if certain violent acts were permissible under Islamic law. They heard different things in his different answers. When one New York plotter asked Rahman if it was okay to bomb the United Nations, he thought Rahman said it was fine. But when another asked five days later, Rahman wasn't sure.

Since September 11, Weaver has appeared on television 22 times, making her bestseller chances remote. Her second book, *Pakistan: In the Shadow of Jihad and Afghanistan*, comes out in October. It has the same strengths as her first, but it's about Pakistan, not terrorism. I feel as if I am only beginning to think about criminalizing speech and killing novelists and what it means to talk to bloodthirsty young men about drowning children in minivan car seats as the Hudson River breaks into the Lincoln Tunnel. The bad writing of adventure, espionage, adamantine legalisms, and sleepers is everywhere. The old ways of thinking seem inadequate. The new ways are still in the making. I want to tell her, as I suspect Orwell would: Write again, Mary Anne, write, and help us to think.

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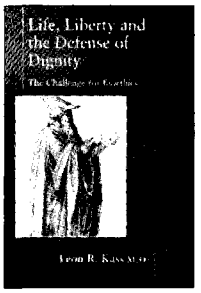
Ew, Gross!

The prissy bioethics of Leon Kass.

By Garance Franke-Ruta

Laboratory life may seem austerely clean and clinical, but it is by no means genteel. Anything that involves physiological processes, from sexual reproduction to eating, is, at core, a messy affair. And though science puts forward nearly as clean a public face as a supermarket meat counter, it is no exception. "Bleeding" a rat means anesthetizing the animal, cutting off the end of its tail, squeezing its blood into a vial, and then cauterizing the wound with a hot glass rod. "Sacrificing" mice means that someone has to learn the technique of snapping mouse necks by applying pressure with a pencil, just-so, over and over. But even in an environment where killing is so commonplace, there are rules. A budding neuroscientist will earn a stern rebuke from her laboratory head if she so much as accidentally kills a frog. And when she goes home, she may burst into tears—not because her ego has been wounded, but because she likes frogs, and raised tadpoles as a child, and has previously never directly killed anything but insects. Before she was a scientist, she was human, and it is her humanity that fuels her quest to understand the particular brain pathway she devotes her days and nights to. Science continues to call upon and expand her humanity, by giving her rules for respecting the world she works on, such as the frogs, and new cause for respecting the wondrous complexity of the world inside the human brain she studies.



LIFE, LIBERTY, AND THE DEFENSE OF DIGNITY: The Challenge for Bioethics
by Leon R. Kass
Encounter Books $26.95

But to bioethicist Leon R. Kass, a young scientist such as my friend has merely sunk into an objectifying worldview that is threatening the very marrow of our culture. According to Kass, the process of science forces us to overcome our natural repugnance and squeamishness and leads to basic inhumanity and the denial of soul. The fact that science is bound by ethical rules, such as those scientists have proposed to allow stem-cell research, do nothing to change that equation.

If you thought the President's Council on Bioethics was merely holding a national referendum on the moral status of the early embryo when it addressed the question of research on cloned embryos, and still could only come up with a divided opinion, think again. Kass, the council's controversial chair, demonstrates with his new book that the conflict exemplified by the council is much bigger than just an argument about embryos or abortion. It is a clash of worldviews. "The technological disposition," according to Kass, as represented by the scientists on the panel, is corrupt at its core. By its very nature, materialist, reductionist science can give us no grounds for decision-making or humane understanding. "We are, quite frankly, adrift without a compass," he writes. "We adhere more and more to the scientific view of nature and man, which both gives us enormous power and, at the same time, denies all possibility of standards to guide its use."

In short, as described by Kass, the conflict on the council is not between people who hold different standards, but a radical chasm between "the truth" and people who hold no standards at all.

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As befits the work of professor on the Committee for Social Thought at the University of Chicago; Kass's book, *Life, Liberty and the Defense of Dignity: The Challenge for Bioethics*, is first and foremost an academic work of moral philosophy. Much of it is an expansion of previously published essays, and some chapters are taken word for word. Drawing upon classical philosophy, Greek myth, religious writings, and some of the liberal political tradition's earlier works, the book does not propose programmatic solutions to many of the contemporary ethical dilemmas it treats—from human cloning to organ transplantation—nor does it fully articulate the political implications of the ethical world it proposes as absolute. Instead, Kass asks what lawyers call leading questions, examining some of the thorniest ethical issues in biotechnology and medicine with reference to the works of Homer, Plato, Aristotle, the Bible, Thomas Hobbes, Francis Bacon, John Locke, Renée Descartes, Friedrich Nietzsche, C.S. Lewis, and Aldous Huxley. In so doing, he lays out a vision of the meaning of human life from earliest zygote to the grave. Man, to use Kass's favored term, possesses a fundamental and irreducible dignity based on "the godlikeness of human beings." It is from this, he argues, that "the sanctity of human life" derives.

But it is the impact of the "dehumanizing challenges of the brave new biology" and technology on "ways of life" that concerns Kass, rather than the impact on living individuals: "We need to understand that there is more at stake in the biological revolution than just saving life or avoiding death and suffering. We must also strive to protect and preserve human dignity and the ideas and practices that keep us human," he writes. The goal of bioethics should not simply be to solve technical problems involving specific procedures via the issuance of rules, but "concern for the moral health of our entire community." Consequently, it is humane ideals, not just human individuals, that must be protected and defended "[i]n a world whose once-given natural boundaries are blurred by technological change and whose moral boundaries are seemingly up for grabs."

Those boundaries have, he argues, been damaged by three decades' worth of advocacy by feminists, relativists, liberals (and liberationists and libertarians of all stripes), and gays and lesbians. Abortion, the sexual revolution, contraception, and "the extramarital use of the Pill"—all these changes have threatened our ability to understand natural relationships, and hence have led to the easy acceptance of technological interventions, particularly in the reproductive sphere, that make us increasingly unnatural, "post-human" beings.

Further, Kass charges, these changes have threatened the virtues of heroism and courage in the face of death. Having grown complacent and fat in our easy, ignoble, meaningless lives, we now resist death too forcefully and use science to quest after an illusive and potentially socially destructive immortality. But "once we acknowledge and accept our finitude, we can concern ourselves with living well, and care first and most for the *well-being* of our souls, and not so much for their mere existence," he writes. Indeed, Kass finds the very idea of "so-called 'objective reality'" that has so successfully served modern medicine and led to such profound knowledge of the natural world is nothing but an arrogant human fallacy—"philosophically unsound and finally unreasonable."

Kass grounds his ethics in an argument, first published in *The New Republic* in 1997, known as the "wisdom of repugnance"—in short, that "generalized horror and revulsion are prima facie evidence of foulness and violation." This argument has been widely criticized for failing to consider that many things once found "repugnant," such as interracial marriage, lending money with interest, or the education of women, are now considered normal. Kass acknowledges these critiques, but nonetheless sticks to his guns: "In some crucial cases, however, repugnance is the emotional expression of deep wisdom, beyond reason's power to completely articulate it."

Consequently, "We are repelled by the prospect of cloning human beings not because of the strangeness or novelty of the undertaking, but because we intuit and we feel, immediately and without argument, the violation of things we rightfully hold dear," he writes. Other "repugnant biomedical technologies" include such widely accepted procedures as in vitro fertilization and organ transplantation ("I favor the pre-modern principle of 'One man, one liver,'" he writes). "Shallow are the souls who have forgotten how to shudder," he writes:

Sense and Sensibility

In the end, all this shuddering comes across as more prissy than wise. Kass calls things "repugnant" and "repellent" that might be better spoken of as "appalling," "unjust," "cruel," or just plain "unusual." Repugnance, revulsion, and disgust are all fairly limited responses, part of the family of inarticulate gut reactions, and after 200 pages of the language of revulsion I began to wonder what had happened to the rest of the emotions and feelings in the human

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repertoire—anger, frustration, uneasiness, sadness, fear, desperation, hope, delight-in-mastery, curiosity, sympathy, abiding love, and so forth—and the nuances they provide to our moral understanding. Not to mention the role of reason. Some surgeons, for example, react to the cutting into living flesh not with "repugnance," as Kass writes, but with fearful respect and wonder. And the feminists who changed rape laws in the last century did so not because rape was "repugnant," but because it was a violent violation of personhood whose true awfulness the man-made legal systems had somehow failed to adequately recognize. To describe rape and heart transplants with the same spare moral vocabulary, as Kass does, is to lose important nuances, and to say nothing that should guide our policy-making.

"Shallow are the souls who have forgotten how to shudder," Kass writes. But much that makes human beings humane derives from mastering our instincts.

Ultimately, Kass's ethics of repugnance make him look less a man full of infinite respect for human mystery than one possessed of an inordinately dainty sensibility when it comes to matters of the flesh—the real messiness and tragedies of life as an embodied creature—"repelled" by people who don't share his "high-minded views." His scientific and philosophical enemies are all "shallow," "shameless," "bold," "sophisticated," "rationalist," "materialist," "indecent," and "clever." Meanwhile, his own thoughts and those of his colleagues are always "modest," "morally serious," "deep," "proper," "free," "noble," "courageous," and "wise." Instead of letting his ideas speak for themselves, he pounds readers over the head with snippy asides and the sort of academic conservative boilerplate popular from Cambridge to Palo Alto.

Certainly the ability to listen for the meaning of one's own discomfort is important to living a happy life, and gut reactions often reveal understandings more complex and deep than words alone can adequately convey. But it is also true that such reactions do not necessarily tell us how to act, or—more importantly—whether our discomfort ought to be honored. Much that makes human beings humane derives from mastering our instincts. Context and education are what give meaning to our revulsion, ultimately throwing us back on some ground other than our own feelings, such as the beliefs that inform them.

Kass's ethics of repugnance—his secular attempt to ground morality in some essential truth of human nature—simply does not stand on its own. Even Kass's beloved Plato and C.S. Lewis—whose wonderful little essay, *The Abolition of Man*, is much cited by Kass—seem to reject the idea of an ethics based solely on either emotion or instinct, rather than some essential quality in objects or events themselves that humans must learn to recognize. Lewis, building on Plato, argued that man must be taught his repugnance: "The little human animal will not at first have the right responses. It must be trained to feel pleasure, liking, disgust, hatred at those things which really are pleasant, likeable, disgusting, and hateful ... No emotion is, in itself, a judgment ... But they can be reasonable or unreasonable as they conform to Reason or fail to conform." For Lewis, "emotions organized by trained habit into stable sentiments" formed the basis of the moral order. And that was why he was able to conclude that he "had sooner play cards against a man who was quite skeptical about ethics, but bred to believe that 'a gentleman does not cheat,' than against an irreproachable moral philosopher who had been brought up among sharpers."

It is only when Kass drops the language of repugnance that he reveals the humane perspective he elsewhere claims. His two chapters on end-of-life issues, which address the right to die and the challenge of death with dignity, are luminous, meticulously argued, and deeply honest examinations of the paradoxes and ironies that the "medicalization of life and death" lay before us. In these chapters, he speaks not of revulsion and disgust, but of tragedy, of the failure of medicine or science to master nature, of human anger at untimely deaths, of affection, and care, and sorrow, and the need to see the full humanity of the ill at the moment they begin to lose their most human characteristics. In short, he treats the topic with respect, and not the easy condemnation that the ethics of repugnance elsewhere demands. ●

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The New Anti-Americanism

In Greece and around the world, they used to hate us for our policies. Now they hate us for our values.

BY GREGORY A. MANIATIS

IN SIMPLER TIMES, ANTI-AMERICANISM was easy to grasp. Outside Marxist quarters, the United States was denounced primarily for its self-serving hypocrisies. Washington claimed, for instance, to support liberal democracy but allied itself with dictators. This led to demonstrations, diplomatic démarches, and stinging editorials, but seldom to real trouble for average Americans.

After September 11, that is no longer true. Anti-Americanism has emerged as more ugly, widespread, and dangerous than we realized. Not only are thousands of angry Muslim men trained and ready to kill, but millions of their coreligionists, even if they disapprove of terrorism, share their anger. In Europe, meanwhile, popular disdain and even loathing of the United States is in vogue.

UNHOLY ALLIANCE:
Greece and Milosevic's Serbia
by Takis Michas
Texas A & M University $29.95

If this were only due to America trampling the rights of other nations by selfishly projecting its power, there would be an obvious antidote: trample less. Certainly, some U.S. policies (our nose-thumbing unilateralism, supporting Israel over the Palestinians) contribute to the outrage. It's also inevitable that the richest and most powerful of nations will arouse anger and envy among those who are less privileged and successful—especially if our gains and advantage are perceived to be ill-gotten. But something else is at work. Anti-Americanism is no longer rooted solely in the policies we impose or the envy we inspire, but in the values we export. And it is no longer the province of secularists and the left, but is increasingly fanned by religionists and the right. The prime example is Osama bin Laden and his reactionary Wahhabi-Muslim followers, who not long ago were U.S. allies against the Soviets in Afghanistan. There's also Russia, where, for the last decade or so, communists have joined forces with right-wing ultranationalists and the Russian Orthodox Church to denounce America, NATO, Jews, and the pro-Western policies of the Yeltsin and Putin governments. In Turkey, secular and Islamic parties might team up to try to wrest power from pro-Western politicians. In Tokyo, notes *The Washington Post*, "Traditional opponents of U.S. influence in Japan, such as the small communist and socialist parties, have found unexpected company among some conservatives." In each of these cases, the left-right axis has been cemented by an ethno-nationalist fear that American culture and values—often conflated with globalization—are undermining the country's identity.

All of this has been playing out vividly in Greece, a small nation that would seem an unlikely place for anti-Americanism to thrive. After all, most Greeks have relatives living happily and prosperously in the United States, and Greeks can rightly take pride that their ancestors invented the ideas of democracy and individualism on which the U.S. is based. Greece seems to have clearly thrown its lot in with the West. It's a member of NATO and the European Union, which it outpaces in GDP growth, thanks to a virtual economic revolution engineered by the government of Costas Simitis. Its deft diplomacy has calmed relations with arch-foe Turkey—a détente cheered by Washington—and its allies are relying on Athens to solidify democracy in the Balkans. Free-

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market capitalism underpins the economy. And in 2004, Athens will host the Olympic Games.

Scratch the surface, though, and you'll find sentiments that belie this neat facade. An anti-American terrorist group, November 17, has been menacing and killing U.S. and other officials for 27 years, with little protest from average Greeks, until the group was seemingly dismantled this summer. Thirty percent of Greeks responding to one poll said the September 11 attacks were justified; just 7 percent supported the U.S. campaign against terrorism, and 95 percent opposed NATO's bombing of Serbia in 1999. Reasonable arguments can be made against the bombings and the form of our anti-terror campaign. But often the mood in Athens is not a reasonable one. "I hate Americans and everything American. I hope the youth begin to hate everything American," declares Mikis Theodorakis, the country's leading cultural icon and composer of the Zorba theme, whom Greece nominated for the Nobel Peace Prize last year.

The average Greek might not share Theodorakis's hatred of Americans as individuals. But a resentment of the U.S. is disconcertingly widespread. The roots of this antipathy go back decades. From 1967 to 1974, Greece was ruled by a right-wing military junta that America supported. In 1974, that junta engineered a coup in Cyprus, an independent island republic with a majority Greek and minority Turkish population. In response, Turkish troops seized one third of the island, an action the U.S. did nothing to prevent (and some say encouraged). These acts did not merely bring down "the colonels," they provoked an anti-American backlash, one which socialist prime minister Andreas Papandreou nurtured in the 1980s with fiery speeches attacking the U.S. and NATO.

But in the 1990s, this older anti-Americanism—a mostly left-wing denunciation of U.S. foreign policy—metastasized in Greece to include conservatives and, surprisingly, the once-quiescent Greek Orthodox church. And the enemy became not just U.S. foreign policy, but U.S. cultural values.

Unholy Alliance, by Takis Michas, attempts to explain this turn against America through the prism of Greek support for the Serbia of Slobodan Milosevic during the Yugoslav wars of the 1990s. For anyone living in Athens in the 1990s—I founded an English-language magazine about Greece there in 1993, to which Michas has contributed—this affinity for Milosevic was nauseatingly evident. In the end, I think Michas overstates the degree to which Greeks reject Western values; there are simply too many pro-American tendencies in Greece that his theories can't explain. Still, *Unholy Alliance* tells an important story, and Michas is a courageous messenger.

Big Fat Greek Collaboration

Unholy Alliance is a chilling tale. It opens in 1993 with Michas's Greek newspaper column being suspended after he wrote about the beleaguered newspaper *Oslobodjenje*, a well-respected independent daily in Sarajevo. Michas included the paper's address for anyone who wanted to send support. "We received a lot of phone calls that day from readers protesting that we were asking them to send money to the Muslims so that they could buy arms to kill Orthodox Serbs," his editor told him.

Michas persuasively recounts how, in the midst of Serb atrocities throughout the 1990s, Greeks rallied to their Orthodox Serb "brethren." He tracks Greek businesses conspiring with civil servants to violate the United Nations embargo on Yugoslavia; Greek officials passing NATO bombing secrets to Milosevic, at least in one instance with the alleged support of the prime minister; Greek mercenaries participating in the slaughter at Srebrenica; Greek priests sending succor to Serbs while ignoring stricken Bosnian Muslims; Greek media willfully distorting the news, running footage of slain Muslims and identifying them as Serbs; Greek politicians welcoming (and vacationing with) Milosevic and his lackeys. While over 100,000 Bosnians were killed, Greeks fêted Milosevic and his homicidal accomplices (including Radovan Karadzic and Ratko Mladic) with galas and stadium concerts.

This is the grist of *Unholy Alliance*, an unrelenting stream of damning evidence showing that while Athens was officially allied with the European Union and NATO to oppose Milosevic, its politicians, and church leaders, its media and labor unions were actively assisting his regime and showing little sympathy for his victims. "There was not one house editorial in 10 years in any of over 20 national newspapers deriding Serb war crimes," Michas told me in a recent interview.

In Greece, everyone knows everything—this minister is corrupt, that oligarch is the one who really runs the country, the referee in Sunday's match is on the take—but you can prove nothing. Judicial inquiries into graft begin and rarely end. Michas's first, vital accomplishment is, through careful journalistic research, to provide ineluctable evidence of Greek-Serb collusion. His second major contribution is to analyze the underlying causes of the behavior he discovers. And above all, his success lies in getting all this published. Michas was hardly alone among Greek journalists disgusted by Serb atrocities; but most other journalists had their stories spiked. When Michas was stymied in Greece, he smartly found an outlet in *The Wall Street Journal* Europe, and now in this book.

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Born Identity

Why did Greeks not only support Milosevic (not the Serb people—Milosevic) but also ignore the suffering of Muslims in Bosnia and Albania? Sixty-three percent of Greeks had a good opinion of Milosevic, even though 53 percent believed he had violated the human rights of Albanians. When confronted by evidence of Serb atrocities, Greeks brushed it aside. To understand such behavior, Michas argues, one must understand that Greece is an ethno-nationalist state. You belong either by dint of birth or by displaying the two primary "markers" of Greek identity—the language and the Orthodox faith. Otherwise, you're out of luck. By contrast, most societies in Europe and the United States rely on civic nationalism, which bases membership on an acceptance of shared institutions and responsibilities rather than on ethnic or confessional purity. (This is not to say that Greece's minorities are treated harshly—compared to most of Europe, they are well-received—but they certainly have a hard time acquiring political, economic, or social power.)

Greeks found Milosevic's actions justified, Michas concludes, because he was defending his ethnic group's sovereignty. The minorities he attacked could be seen as fifth columnists who threatened the Serb nation. Milosevic also played on Greece's age-old enmity with Turkey to keep Greeks in line. "From the moment Bosnian Muslims were demonized as Friends of the Turks, every crime against them was justified in the eyes of the average Greek," Michas writes.

Greece's moral relativism was at odds with the international community's growing sense in the '90s that it was obliged to prevent large-scale suffering, even if it meant violating state sovereignty. By contrast, sovereignty for Greeks seemed to trump humanitarianism. Not valuing the humanitarian dimension of the Balkan wars, then, the Greeks allowed themselves to interpret NATO's intervention as a mere power play. It was easy to argue that Washington wanted a foothold in this strategically important region; this allegation became even more charged when it appeared that NATO kept siding with Muslims (in Bosnia and Kosovo)—whom Greeks identified with the Turks. "The Greek worldview," writes Michas, "combines the idea that the country faces a constant threat and that it is at the same time the target of a huge conspiracy emanating predominantly from the West."

Divine Dreams

Michas describes how an unholy trinity has fanned these sentiments and coalesced around an anti-American agenda. The left, the traditional home of anti-Americanism, has been joined by a radicalized Orthodox church and right-wing nationalists. No longer able to rely on Marxism to excite voters, the left turned to nationalism as a new form of collectivism. The right in Greece was in a similar bind. Its economic ideology, unlike that of the communists, hadn't been discredited in the 1990s—it had been hijacked. The socialists, who have had a virtual monopoly in Greece for 20 years, proved to be more effective market liberalizers than the conservatives. So with no economic platform to differentiate them, many on the right turned to nationalism for a competitive edge.

But since the United States clearly has no designs on Greece, how could right-wing nationalists scapegoat America? Certainly, NATO's bombing of Greece's neighbors stoked a sense of trampled sovereignty. But Michas argues that the conservative nationalists also appealed to the Greek public's ethno-nationalism by damning America's multicultural values. They explain NATO behavior during the Balkan wars, for instance, as Washington's attempt to "export its model of societal pluralism to the region" (read: they'll force us to live with Muslims). Turning against America was made all the easier for the right because the anti-communist sensibility that had once bound it to the U.S. had been made irrelevant by the Soviet demise.

The church, meanwhile, is the most powerful member of the trinity, Michas explains. It sees itself as the guardian of Greek identity, having preserved the nation's language and many of its traditions during the dark centuries when Greece was under the Ottoman yoke. Also, after the Berlin Wall fell, a renewed sense of possibility gripped the Eastern Orthodox Church in general. Orthodoxy went from having 20 or 30 million active adherents (those in the West) to 250 million (including the Orthodox churches of Russia, Serbia, Bulgaria, and elsewhere in the former Soviet orbit). The leader of the Greek Orthodox Church (one of many quasi-independent components of the Eastern Orthodox Church) had a particular twinkle in his eye when it came to Orthodoxy's resurgence: On a clear day he could see all the way to Belgrade, Kiev, and Moscow—an Orthodox axis to counter the (Vatican) West.

These ambitions would not be so troubling were there a separation of church and state in Greece, but there isn't. Priests are not only paid by the state, but the church has been nationalized. "Its role has consisted less in the salvation of souls," Michas writes, "than in the creation of the ideological preconditions that would ensure the cultural homogeneity of the Greek nation." Anyone who's not Orthodox is not simply viewed as belonging to a different faith, but can be stigmatized as anti-Greek. For nationalists in Greece, Michas writes, the church is the only bulwark left against the threat of a multicultural

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open society. But although the "new Orthodox" movement in Greece argues that there is a wide chasm between Orthodoxy and Catholicism, Michas doesn't buy this, and neither do I. In the past 10 years, I don't recall a single time when an Athenian argued to me that the values of Orthodoxy are in some way fundamentally different from other mainstream Judeo-Christian traditions.

The Limits of Nationalism

The French philosopher Edgar Morin deems the mood in Greece to be one of "fundamental irrationalism," meaning that it has become easier and more comforting for many Greeks today to revel in stories of their own ethnic superiority (glory of ancient Greece, Orthodoxy as the true faith) than to believe in the complex promise that liberal democracy, a robust civil society, and free markets can improve their lives. You might argue that some Greeks believe more in the past than in the future. That Greece—which bequeathed individualism and pluralistic democratic values to the West—should feel threatened by them would be archly ironic were it not so dangerous.

While it's true that some modern Greeks might feel menaced by America and the Western values it represents, it's wrong to say, as Michas implies, that this amounts to a rejection of them. There are simply too many trends in Greek behavior that contradict Michas's thesis. He does not attempt to explain, for instance, why Greek foreign minister George Papandreou (the son of the former prime minister) and his advisers quietly nurtured the opposition to Milosevic and were instrumental in catalyzing his downfall. Nor does his theory reconcile the fact that Papandreou—whose mother is American and who is the most pro-Western Greek politician in decades—is the most popular leader in the land. And rather than serve as a lightning rod for anti-Americanism, Papandreou represents the hopeful aspirations of an ambivalent nation just as surely as Michas's unholy alliance represents its more benighted instincts.

Michas argues that the ethno-nationalist mindset in Greece is deeply engrained at the grassroots level and is not just a construct of the media and politicians. But if this were true, how could one explain the massive popular outpouring of sympathy and support Greeks showed for Turkey after it was struck by a devastating earthquake in August 1999, when Greeks by the tens of thousands lined up to give blood to people who were supposed to be their sworn enemies? That moment signaled the start of a popular détente between the two countries that continues to mature.

In truth, Greeks don't reject Western values so much as they discount them, because the institutions that represent these values are either dysfunctional or distorted by corruption. The courts don't operate fairly. The media are owned and manipulated by oligarchs who use them to promote their own business interests, rather than as a check on power. The stock market, instead of being an engine of innovation, was responsible in the '90s for probably the biggest transfer of wealth from the poor to the rich in Greek history. Corruption is present throughout the public realm, where services are in shambles.

So it's no surprise that when Greeks are polled they say they don't trust the media, the courts, or politicians, and instead place their faith in the church and the military. If Greeks can't rely on the system to give them a sound education, good jobs, and a voice, then they will be prone to opt for the safety in numbers that collective identity promises. But Greeks are not rejecting liberal democracy—for the simple reason that they haven't experienced it in a truly developed form. They are only rejecting the watered-down, contaminated variety that has been shaped by venal businessmen and politicians. The same can be said of other struggling countries around the world.

What can America do? First, the U.S. must recognize that free-market capitalism not only won't flourish but also can be outright dangerous to American interests when it is not accompanied by the robust development of liberal democratic institutions. This is largely because free markets concentrate wealth and power in the hands of the very few, very quickly, unless there are countervailing forces. America does an excellent job of exporting free-market ideas—investment bankers, consultants, and creative accountants are thick as fleas in Athenian cafes—but a terrible one of insisting on the necessity of the rule of law, free media, and a vibrant civic space.

Second, we must do this tactfully. Greeks and others hate being told by Americans that their democratic institutions are faulty. Fortunately, Washington has the perfect proxy in the European Union. Had it not been for the E.U., Greece today would be a mess. The E.U. forced it to get its books in better order and to overhaul its laws so that civil society can take root.

There are enough forces of enlightenment in Athens to build this robust civil society. It is a country that often feels morally and intellectually adrift, but one that has the resources to right its course: an educated population, strong ties to the West, relative wealth, and an entrepreneurial soul. Nation-building is needed not only in ruined states like Afghanistan; it is a constant challenge, even for what we call developed countries. The elites in Athens, Washington, and elsewhere would do well to realize this before "fundamental irrationalism" wins the day. ●

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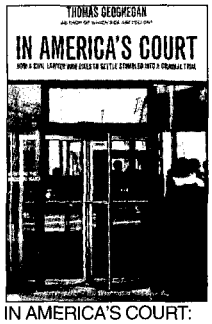
Political Booknotes

Trying Patience

By Amanda Ripley

THE EXHAUSTED VETERANS OF America's jury-duty circuit know a nasty little secret about the way our justice system works. Ask the math teachers, secretaries, dentists, and other innocuous individuals who get impaneled time and time again about how they can predict their fates in each new case, and they will tell you the perverse rule of inverse justice: The higher the stakes, the shorter the trial.

If, God forbid, jurors get assigned to an intellectual-property case, or worse, a class-action asbestos suit, they might as well quit their jobs, cancel their vacations, and consign themselves to lives of service. They may endure weeks, if not months, of mind-numbing boredom involving pie charts, "expert" witnesses, and multiple Power Point presentations. And then, just when they've come to care about the case for no good reason other than overexposure, it will be settled out of court. They will be curtly thanked and sent home to look for a new job.



IN AMERICA'S COURT: How a Civil Lawyer Who Likes to Settle Stumbled Into a Criminal Trial
by Thomas Geoghegan
Dimensions, $23.95

But a murder trial? Ha! A mere civic holiday! A week, tops (provided the defendant is not famous, naturally). A day of jury selection, a few volleys of semi-coherent testimony, several long lunches at Taco Bell, and boom. A young man goes to prison for 300 years, or he collects his watch and wallet and goes home for a steak dinner. Just like on TV!

But lawyers (like journalists) almost never get picked for juries. And very few ever try murder cases themselves, either. So to Thomas Geoghegan, Chicago's criminal court came as a terrifying surprise. Geoghegan is a civil litigator who, before this, has written two well-received books chronicling the decline of the labor movement and liberalism in general (including the 1991 treatise, *Which Side Are You On?: Trying to Be for Labor When It's Flat on Its Back*). But, like most civil litigators, he hardly ever tries any cases. (He estimates that the percentage of civil lawyers who go to trial is 2 to 3 percent, or less.) His cases settle, invariably, after months of billed hours and vows never to do so. All the while, like most lawyers, he yearns to be doing something else: "I keep thinking that somewhere for me there is another life I have as a lawyer and I'm not being allowed to live it."

So it is by sheer accident that Geoghegan ends up helping to defend a young murder suspect named Rolando. At age 15, Rolando had helped two older kids rob a bar. He didn't have a gun and didn't hurt anyone, but one of the other kids shot a customer. So Rolando was convicted of felony murder. By some miracle, seven years into his sentence, his verdict was overturned. Geoghegan's criminal-defense attorney friend gets the case and, in passing, cajoles his buddy into helping out with the new trial. Geoghegan fully intends to call him later and politely cancel, but he forgets. So there he finds himself on Monday morning, sitting in a grimy criminal courthouse, trying to put on the correct facial expression as a jury decides the fate of a boy who has grown into a man in prison. And the ride begins.

Geoghegan's naiveté can be intensely annoying. For example, the instant he meets Rolando in the court's holding cell, he is gripped with a conviction of his innocence. "[He was] standing in a golden light, and all I could think was—He's innocent!" But the Pollyanna act can, at other times, be charming. After all, the reader gets to walk behind the scenes of a murder trial, never feeling any dumber than the author. Geoghegan's humility and honesty, coupled with his ceaseless inner dialogue, make him a sort of Woody Allen of the courtroom drama—perpetually tortured but nonthreateningly so.

In the best section of the book, Geoghegan shares his notes from the *voir dire*. And we get to see behind the curtain. "Juror Candidate No. 1: Mrs. V. I don't like her. She's East European, which I like, but it's in a '1938 East European' way, which I don't like. 'Strike her,' I write. Juror Candidate No. 30: Juror from Hell. Why? Because he's a white CEO in the burbs, but worse: His dad owned a bunch of gas stations, which were held up all the time. So he probably has nightmares of kids doing holdups." And so forth.

But meanwhile, Geoghegan's frequent digressions into his own private agonies try the patience. "It's odd how in my life, after being young so long, I'm now the oldest person on the El." But we read on. And it's probably not because we are fascinated by his thesis that this kid's sad life is a test case for human rights in America. It's definitely not because we care about Geoghegan's identity crisis over his life's work as a civil lawyer. We read for the same reason we will always read murder trial stories, no matter what cultural critique they're dressed up as. It's the same reason Rolando's fiancée reads a John Grisham novel during breaks in the trial, much to Geoghegan's annoyance. We want to know, is he guilty or not?

Until the moment we find out the answer, three-quarters of the way through the book, *In America's Court* makes for a pleasant, breezy read. From that point on, though, Geoghegan's overindulgence becomes intolerable. He spends the rest of his book trying to justify writing a book about a trial in which he just barely played a role. He wrings his hands over the worth of his legal career and vaguely hopes we are seeing the dawn of a new era of global human-rights law. But it's too lazy an analysis to merit the space. If only he'd spent the next few years following Rolando after the trial, we might have learned something more alongside our accidental tourist.

AMANDA RIPLEY *is a staff writer at* Time *magazine.*

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Tanks for the Memories

By Eric Umansky

FIELD GENERALS, THE COMMANDERS who actually lead battles, don't get much glory nowadays. Take the war in Afghanistan. Do you know the name of the officer who was directly in charge of the ground operations there, including the battle in March entailing the heaviest fighting U.S. soldiers have seen in a decade? He's Maj. Gen. Franklin L. Hagenbeck.

Not that you should know his name. It's the age we live in, in which technology (video linkups, live images of drone footage, etc.) allows higher-ups to micromanage wars from far away. Hagenbeck's boss, Gen. Tommy Franks, has essentially telecommuted every morning to Afghanistan from a base on the other side of the globe in Tampa, Fla. (Let's see somebody make an Academy Award-winning movie out of that one.) Advocates of this kind of long-distance warfare might want to pick up the new biography of Gen. George Patton, by historian Stanley P. Hirshson, *General Patton: A Soldier's Life*.

Patton lived by the advice of Civil War general William Tecumseh Sherman, who observed in his autobiography, "Some men think that modern armies may be so regulated that a general can sit in an office and play on his several columns as on the keys of a piano. This is a fearful mistake." And one that Patton rarely made. "He was usually found up at the front," wrote *The New York Times* during World War II, "fanning himself with his helmet shell and swapping yarns with GIs. At the end of one hot, dusty day in France his face was covered with black French dust and his eyelids looked like the pollen-covered legs of a honey bee."

That kind of hands-on leadership had two effects: It helped Patton become a remarkably effective general, and it made him a celebrity.

In the preface of his book, Hirshson, who's also written biographies of Mormon pioneer Brigham Young and Gen. Sherman, "takes issue" with previous works on Patton, which, he says, are filled with "incomplete research" that has led to "dubious interpretations." That seems pretty self-important and unsportsmanlike. Except that Hirshson is right. His book is stuffed with uncovered letters, transcripts, and recollections. They combine to give readers a remarkable insider's view of the action.

Patton was born in 1885, into what was essentially Californian aristocracy (yes, there was such a thing). He wasn't a great student, but he was a hard worker. That, plus his family connections, got him into West Point. After graduating, he finished fifth in the 1912 Olympic pentathlon and had a stint under Gen. Pershing, fruitlessly pursuing the revolutionary Pancho Villa who had raided Columbus, N. M., through the Mexican north. After a few years as an officer, Patton was shipped to Europe to fight in World War I. There, he became fascinated by the potential of the new monsters roaming the battlefield—tanks—and was assigned to figure out how the things should be used.

As Patton rose through the ranks at the usual peacetime crawl, he used his experience of the bloody World War I stalemates to develop what became his signature tactic. The general put it in his characteristically succinct color: "Grab 'em by the nuts and kick 'em in the pants." That is, Patton thought it was absurd to attack an enemy straight on. Rather, generals should take advantage of tanks and trucks to drive around the enemy and eventually encircle him, while often keeping them busy with a small frontal attack.

Patton used this plan time and again. That, combined with other attributes such as his relentless drive, eventually made him into arguably the best tactician in World War II. After the D-Day Allied invasion of France, Patton's Third Army drove across Europe farther and faster than just about any other force in history.

Patton also had many faults. He was a publicity hound, a big mouth, a bigot, and remarkably anti-democratic. In the 1920s, he wrote to his wife

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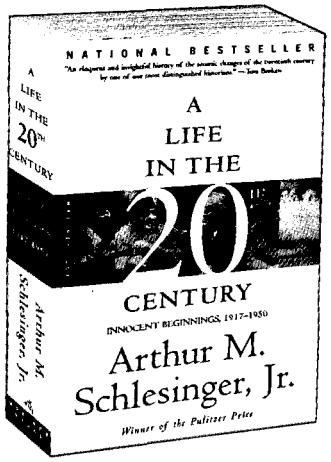

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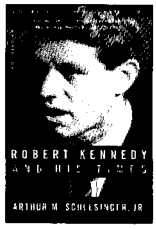

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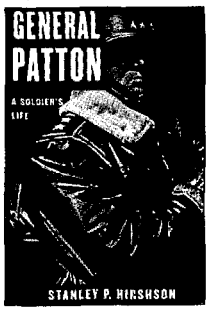
that he hoped there would be a big war. That way, he said, he could become a top general and eventually "become President or dictator by ballot or force."

Thinking like that often got Patton into trouble. Much of it has been recounted before, in the movie *Patton* and elsewhere. In one well-known incident, Patton was visiting a field hospital when he came across a soldier who didn't appear to be wounded. When Patton asked what was wrong with him, the soldier responded, "It's my nerves." Patton blew up: "You cowardly bastard! You're going right back to the front. Although that's too good for you. You ought to be lined up against a wall and shot. Although that's too good for you, too. I ought to shoot you myself, goddamn you!"



GENERAL PATTON: A Soldier's Life
by Stanley P. Hirshson
HarperCollins $34.95

Patton then pulled out his (ivory-handled) gun, repeatedly slapped the soldier, and ordered doctors to get the GI out of the hospital. Hirshson adds that as Patton left, he shouted, "There's no such thing as shell shock! It's an invention of the Jews!" The slapping eventually made it into the press and caused such an outrage that Eisenhower temporarily stripped Patton of his command.

More importantly, Hirshson has uncovered little-examined evidence that Patton's army committed various massacres during the invasion of Sicily in 1943, including the shooting of prisoners of war, as well as civilians who were looting soap from a local factory. Patton didn't issue the orders, but he did give invective-filled speeches before the battle urging his troops to, as one officer remembered, "kill and to continue to kill." Another officer recalled that Patton "said something about if enemy civilians remained in the area of a battle, we were to ruthlessly kill them and get them out of the way."

Patton also had a penchant for wasting the lives of his own troops. Gen. Omar Bradley, a longtime friend, observed that Patton was a "megalomaniac" who once needlessly sacrificed some of his soldiers in order to beat the British general Bernard Law Montgomery to an objective and win a bet between the two of them.

Hirshson's book has its faults, mostly little stuff, but they add up. He repeatedly mentions various players without reminding readers who they are. World War II was a big war, with thousands of characters, and I found myself lost amid a sea of brigadier generals, lieutenant colonels, colonels, majors, etc. Hirshson also has the same problem with army units and locations. It's hard to keep track of it all. This could have been helped by a more generous use of well-marked maps, of which the book offers only a handful. He also tends to plod through the history, giving equal play to events small and large.

Those are quibbles. *Patton* is a valuable read, especially for those interested in how the military is changing these days. After all, the Army is in the midst of a huge makeover, trying to morph from a heavy anti-Soviet force into something that's more nimble. Such a fundamental transformation has happened only a few times before, most notably when the Army slowly, and stubbornly, mechanized. One of the generals at the center of that change? George Patton.

ERIC UMANSKY *is a columnist for* SLATE.

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THE SHIELD OF ACHILLES

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New York Times

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William Shawcross

"A triumph...original in concept, provocative, consistently absorbing" David McCullough

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Kibu-ki Theater

By Jamie Malanowski

I KNEW THE INTERNET EMPEROR had no clothes the day my esteemed former colleagues at *Time* published a cover story about how the Internet was liberating creative people from the arrogant publishing houses and record companies

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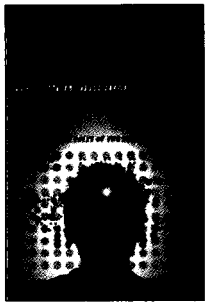
by enabling them to self-publish or self-produce and reach audiences directly. The news hook was that Stephen King was going to e-publish his next book, a reasonable experiment that ultimately failed. But the lead character in this cover article was an animator who ran a Web site called doodie.com. Every few days, he would post a new 15-second cartoon that showed a stock character—a cat, a dog, a mad scientist—taking a dump. That was it. *Time*'s tough-minded, hard-headed journalists—professionals I respected and admired!—had seen the future, and it involved cartoon cat poop. At that moment, I was grateful that I had squandered all the money I had been underpaid over the years and had nothing in the market, because I knew it was a house of cards.



Inside the Cult of Kibu and Other Tales of the Millennial Gold Rush
by Lori Gottlieb and Jesse Jacobs
Perseus Publishing $26.00

Inside the Cult of Kibu and Other Tales of the Millennial Gold Rush, by Lori Gottlieb and Jesse Jacobs, aims to tell the story of those years in the words of the people who were out there in the trenches, drinking the Kool Aid by the vat. Gottlieb was the editor of Kibu.com, a Web site devoted to the preoccupations of teenage girls, or as they put it in the glittery, overheated Silicon Valley Girl-speak of the era, a "digital lifestyle brand" that will be "Yahoo! for Gen Y with an estrogen slant." (One can't help but recall Sam Spade in *The Maltese Falcon* remarking, "The cheaper the crook, the gaudier the patter.") Jacobs is vice president of content at IFILM, called the Net's leading online film company. This is a good title, but I cannot speak to the scale of measurement. I'm sorry to say that they have taken a great idea and turned it into a mishmash of a book. *Kibu* contains a lot of entertaining stories, many of them telling and insightful, about the era's delusions and incompetencies and lifestyle excesses. But most of the book is an oral history, with one person's memory following another's, and the effect is rather like brunch at a mediocre dim sum place where too much time passes before the next good dumpling appears.

I say most of the book is an oral history because *Kibu* is really a melding of two books: Gottlieb's account of her three months at Kibu.com, chopped into chunks to which have been appended the oral histories. Gottlieb's sections are really funny, and I hope she is happy with the vengeance she has wreaked upon her vain, clueless colleagues. Unfortunately, Gottlieb worked at Kibu for only three months, not truly enough time to get a book's worth of adventures. The solution: the Hamburger Helper of Jacobs's oral histories.

Had Gottlieb and Jacobs forced themselves to impose a narrative on this material, they might have really had something, a history instead of a filmstrip. They do have the right Alice-in-Wonderland perspective, the naïve good sense that frames the irrationalities around them. There's entertaining stuff here about the stupid names entrepreneurs chose for their multimillion-dollar enterprises. This was always supposed to indicate diffident coolness, but I believed it showed a psychological distancing, as though the owners didn't have the confidence to call whatever they were doing by some proud name, like, say, the owners of the National Biscuit Company once did. There's also good stuff about the waste, the lavish parties, and the insistence on staff-wide distributions of Blackberrys. So many of these people had no respect for money; it came to them without sweat and apparently without end, from people who believed there was going to be a jackpot at the end. We were building the new railroad, dude, and we would all get rich from our part of the line—a Web site for teenage girls, or pet food, or cat poop.

I wonder if this era—the era of the bubble and the bust and the corporate scandals that followed, separate events connected by some of the same moral problems and market imperatives—will be remembered like the '60s. Possibly not, because these business excesses aren't tied to a political movement or party the way political liberalism and personal liberation were unified. But there are similarities. People in the '60s thought they were going to change the world, and did some good things. But they did what they did on mom and dad's money, and often they equated changing the world with getting laid or getting high, and a lot of people used the times to exploit others, and a lot of people ended up hurt. Many of the same things could be said about business people in the '90s. If the eras are at all alike, it will be interesting to see what happens. Bad times bring out the fundamentalists; after the '60s and the resulting hangover came Howard Jarvis, the force behind California's Proposition 13, and Ronald Reagan. If the market problems continue, if even more of corporate American proves untrustworthy, if the political parties seem incapable of reacting, it wouldn't be a surprise to see a political sensibility emerge. It would develop among people who are afraid that they'll never be able to retire to educate their kids, who were angry that their pension plans and 401(k)s evaporated in Enron Ken's Aspen cottage and Tyco Kowalski's Picassos. It would be a sensibility that is suspicious of business, that rejects Clinton's Lincoln-bedroom fundraising as much as it rejects Bush's corporate cronyism, and that regards the cult of Kibu and its ilk with the same fear and loathing that it holds of Timothy Leary's LSD.

JAMIE MALANOWSKI *is a writer in New York.*

Advancing Hillary

By Vince Morris

WHEN THE PRESS REPORTED that Hillary and Bill Clinton had rolled out of the White House with an assortment of flatware, end tables, sofas, fish knives, soup bowls and golf clubs, even many friends were mystified. It looked so tacky. Here you have two

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lawyers—one an ex-president and the other an incoming senator—commanding unlimited earning potential, trucking away what surely was a quite unneeded plethora of valuable objects from well-wishers, which might have stayed far more fittingly in the executive mansion. It's one of the lingering mysteries of the late days of the Clinton administration. Sadly, a new book by Patrick Halley on Hillary Rodham Clinton doesn't throw much light on that episode.

Halley's treatment of the gift mess is confined to one short paragraph: "As for taking the gifts, which I think was a real mistake, it comes down to a chip on her shoulder," writes Halley. To be fair, his book doesn't promise insight—merely a look at Hillary Clinton's "journey" from Arkansas to the Senate. But given his nearly decade-long association with the Clintons and his proximity to her, it seems reasonable to expect more. Didn't she understand how taking so many gifts would appear to the public? Was she unaware that it had happened? Or did she weigh the possible outcry and do it anyway? We get no clues from Halley's book.

Instead, it tells us about his experience planning events for Hillary Clinton during the 1992 campaign, running through her husband's presidency, and including a handful of her events as she campaigned in 2000 for the New York Senate seat vacated by Daniel Patrick Moynihan. It ends on the eve of her election.

Because Hillary has, in many ways, become just another junior senator, her presence in the Capitol is

The Washington Monthly's Monthly Journalism Award

Alexander Stille

"Textbook Publishers Learn: Avoid Messing with Texas"

The New York Times, June 29, 2002

Alexander Stille reports that the nation's textbook authors have acquired an unwanted editor: the Texas Board of Education. Thanks to a statewide buying process and the political pressure of a conservative lobbying group, the content decisions of textbook publishers have been influenced by the power of the Texas dollar. The Texas board, charged with evaluating books for factual accuracy, rejected two texts that were criticized as anti-technology, anti-Christian, and anti-American. One environmental science book that was initially rejected later passed muster by adding passages such as, "So does it really matter if the world gets warmer?" Stille shows that one man's factual error is another's truth, and leads readers toward a sobering conclusion: The nation's students read what Texans deem proper.

John Cloud

"They Call Him Crazy"

Time Magazine, July 15, 2002

Through the example of the enigmatic, if abusive and rude mental patient Rodney Yoder, John Cloud raises important questions about the field of psychiatry and its applicability to those "spectacular jerks" who, in another time, might be considered ordinary criminals. Cloud explores the deep disagreement over whether Yoder—a decidedly un-"beautiful mind" who has been involuntarily committed to an Illinois asylum since 1991 after whacking his second wife in the head with a table leg—is truly mentally ill and a threat to society. He lets the reader decide whether Yoder should remain hospitalized, but suggests that fluctuating notions of social unacceptability affect psychiatric diagnoses.

The Monthly Journalism Award [illegible] editors@washingtonmonthly.com [illegible]

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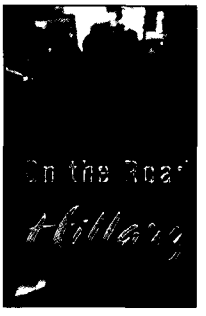
mostly overlooked by the national press these days. And despite the tons of ink spilled on her over the years, she is still something of an enigma. For that reason, Halley's book looked appealing, a peek at Hillary Clinton from someone who wasn't trying to psychoanalyze her—like Gail Sheehy—or destroy her—like the late Barbara Olson.

As an "advance man," Halley is part of the underappreciated machinery of modern politics. He visits places before the candidates do, setting up props, interviews, and crowds to help shape the message that the candidate is coming to deliver. In one passage, Halley describes flying to Arkansas after a 1996 tornado had crashed through tiny Fort Smith. First, he surveyed the damage himself from a plane. Then he met with officials of the Federal Emergency Management Agency and a local sheriff for a rundown on the damage and recovery. The biggest challenge, he says, was finding survivors willing to let Clinton come into their damaged homes to make small talk about their loss in front of a national TV, newspaper, magazine, and radio audience.



ON THE ROAD WITH HILLARY:
A Behind the Scenes Look at the Road from Arkansas to the U.S. Senate
by Patrick Halley
Viking Press, $24.95

Halley's description of this work makes for a fascinating glimpse into the detail involved with organizing a smooth public role for anyone—but especially for a first lady. The goal was to make her look convincing as she offered compassion to victims and chatted appreciatively with exhausted FEMA workers. Because her visit was brief, its success rested entirely on the preparations of her advance crew—notably Halley—who found her ordinary families to empathize with.

But Halley, as he does so often throughout the book, injects his own unsupported take on Clinton's feelings during such moments. In this case, he asserts that upon getting off the plane in rural Arkansas, "she seemed a bit nostalgic about returning." He offers no evidence for his interpretation, which contradicts the current conventional wisdom on Hillary's feelings about that state. Most observers believe now that Hillary Clinton endured Arkansas during her years in Little Rock and lacks the slightest nostalgia about that footstool state, as evidenced by her reluctance to return for almost two years.

Instead, Clinton treasures her time sunning with millionaires and intellectuals or entertainers on Martha's Vineyard or visiting Oscar de la Renta at his Dominican Republic resort. Halley's misguided vision of a woman tinged with a sense of homecoming exemplifies one of the biggest problems for any advance man's memoirs: they hardly ever spend much time with their "principal," and in this case, it is all too clear that Halley just doesn't know Clinton very well.

From his own descriptions, he never went anywhere with her and never even worked at the White House. In all his years of advance work, it appears that he generally saw Hillary for a few minutes before her speeches and sometimes would accompany her for a while longer if her trip involved several stopovers. So when he describes her very first trip as first lady–to visit a Philadelphia hospital—Halley is unable to provide any context for her visit or offer insight into its planning.

Even in areas on which Halley ought to be able to throw light, he isn't helpful. For instance, he describes the campaign as functioning like clockwork, a fittingly mechanical simile, which goes quite uncoupled to the notorious fact that the Clintons are never on time. Even now, Hillary Clinton is almost always behind schedule. More than once, I've seen Sen. Charles Schumer, New York's senior senator, look around prior to opening a press conference and mutter "OK, where's Hillary?" But he makes many assertions that, because he neither sources them nor

LEGAL smarts

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explains why he should be in a position to know, are altogether unpersuasive.

Halley thus dismisses independent counsel Ken Starr's long and expensive inquiry: "One of the remarkable things about the Clintons was how relatively unaffected they were by all this." Try telling that to Chelsea or their friends, who saw the strain of the investigation take a terrible toll on both Clintons and everyone around them. Even today, Hillary Clinton's reluctance to talk openly with the press is believed to have been hardened during those cold years.

In other places, where Halley might have offered a look into Hillary's less well-known sides, he either has chosen not to was unable to. To me, one of the most fascinating differences between Bill and Hillary Clinton lies with their staff. While both attract some smart, accomplished people, some of Bill's greatest betrayals have been inflicted by those closest to him—like George Stephanopoulos or Dick Morris.

By comparison, Hillary Clinton's life remains packed with many of the same people who helped her when she was first lady, and none of her former staff has publicly turned on her the way Bill's did. Patty Solis Doyle, Clinton's longtime scheduler, now runs HILLPAC, her powerful political action committee. Hillary's personal assistant after the 1996 election, Saudi-born Huma Abedin, still is one of the few aides to regularly accompany her everywhere from Israel to Buffalo. Halley imparts no sense of why anyone, himself included, is so devoted to Hillary Clinton after so rough a decade.

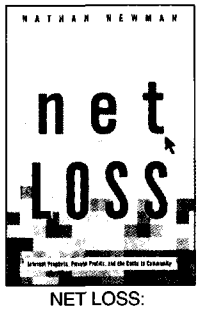
It may be a long time before we get a candid look at the real Hillary Clinton—or a review of her latest reinvention. Her life is just as regimented now as it was in the White House, except that her destiny is now controlled by the schedule set by Congress and the judgments of the electorate. What I'm waiting for is Abedin's story.

VINCE MORRIS *covers Hillary Clinton for* The New York Post.

Left Behind

By Brendan Koerner

THE INTERNET POST-MORTEMS are coming fast and furious nowadays, from John Cassidy's trifling *Dot.con* to James Ledbetter's forthcoming *Starving to Death on $200 Million a Year*, a tell-all about *The Industry Standard*'s fleeting heyday. So far, this literature of failure has portrayed the technology boom as a madcap adventure, and the subsequent bust as little more than a sitcom comeuppance for a handful of arrogant louts. Sure, a couple billion dollars got lost in the shuffle, and some twenty-somethings had to move back in with mom and dad for a spell. But no real harm done.



NET LOSS:
Internet Prophets, Private Profits, and the Costs to Community
by Nathan Newman
Pennsylvania State University Press, $25.00

Nathan Newman, a union lawyer and author of *Net Loss: Internet Prophets, Private Profits, and the Costs to Community*, isn't so dismissive of the New Economy's toll. His victims are not the dot-com employees whose options evaporated, nor the mom-and-pop investors who let Junior's college fund ride on the NASDAQ 100. Newman's big losers are the low-wage workers who spent the last decade falling further and further behind a techno-elite indifferent to local communities. The Internet, Newman argues, has made it easier for corporations to deal with global actors one-on-one, and thus to bypass unions, public-interest groups, and other pesky members of the left. The lack of an effective online tax scheme has robbed municipal governments of billions, leading to slashed services for poor urban residents. And the chasm between knowledge workers (i.e., geeks) and blue-collar stiffs has grown to the point where mobility between the two classes is almost nonexistent.

Newman's depiction of the Internet as an engine of inequality is *Net Loss*' most intriguing thread. If only he'd stopped there, instead of stuffing the book's 300-plus pages with half-baked takes on globalization, privacy, and "the marketization of fixed capital." Newman's sharp lefty treatment of the Internet's labor-unfriendly effects often gets lost amidst the jumble of ideas. Though *Net Loss* makes for a nice counterweight to the vast body of post-bubble fluff, it's far too ambitious for its own good.

GREAT JOB, LOW PAY

The Washington Monthly is seeking applicants for an editor/reporter position that will be available soon. A sense of humor and the willingness to work long hours for low pay are required. Candidates should send a cover letter, résumé, and writing samples (not necessarily published, but showing research gathering and analytic ability) to:

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The book's barest stretch is its first third, a blow-by-blow retelling of the government's role in creating the Internet. There are few surprises here, as this ground's been covered countless times before. Only the greenest of newbies will be surprised to learn of the Pentagon's involvement in funding ARPANET, the Internet's precursor. Newman is an academic, not a journalist; *Net Loss* is actually a slightly tweaked version of his doctoral dissertation, so there's little original reporting to speak of. He borrows liberally (albeit with detailed footnotes) from more impressive histories, like Steven Levy's *Hackers: H*Net Loss* is at its best when Newman trains his eye on Silicon Valley, where he worked as a labor organizer throughout the 1990s. The experience gave him a keen understanding of how the majority of that region's residents were kept off the digital gravy train. Newman gripes that high-tech companies have been poor corporate citizens, reluctant to pay equitable taxes, and eager to outsource jobs to bargain-rate foreign workers. "The public policy promoted by the industry in the region increasingly serves only the upper core of professionals," he writes. "The rest are left behind as even the physical geography of the region is reshaped in a new politics of abandonment." Clearly influenced by Lawrence Lessig's 1999 dissection of the "cyberlibertarian myth" in *Code and Other Laws of Cyberspace*, Newman points out that the industry's wealth is dependent on a government invention, the Internet. Doesn't that extraordinary gift oblige the private sector to act less selfishly?

The tech sector is not the only culprit singled out in Newman's polemic. Banks get a lashing for rejiggering their business models for the Internet Age. They'd rather sell money-market funds to clients thousands of miles away, Newman contends, than offer low-margin home loans to local families. Deregulated phone companies are itching to peddle DSL to wealthy households, but their commitment to affordable universal service has wavered.

Yet Newman scores points too sporadically. Promising themes are overwhelmed by long, incongruous meditations on the electricity market or computing standards, which he unconvincingly links to the central thesis. Perhaps unavoidably, several sections are already laughably outmoded, such as the gloom-and-doom forecast about a WorldCom empire or the naysaying over DVDs. Then there are the crusty sentiments lifted straight from *The Nation* circa 1985, like Newman's horror that (gasp!) chain stores are squeezing out local merchants.

The book's other major glitch is Newman's graceless prose, which is riddled with annoying grad-speak. Not every academic is such a shambling writer, *City of Quartz* author Mike Davis—an obvious Newman idol—being the prime example. But people who've spent years locked away in musty stacks usually lose some wit in the process. At times, *Net Loss* reads like a recent *Onion* parody of a Harvard Ph.D. candidate deconstructing a Mexican takeout menu ("Menu reflects the problematic reliance on systemized binary opposition"). When the word "hierarchies" make three appearances in a single paragraph, you know you're nowhere near the realm of a good beach read.

There's certainly a fine labor-oriented critique of Internet mania somewhere in Newman's head. Snippets of it made their way into *Net Loss*, but not enough to save this debut from a messy fate. Somebody get this man an editor.

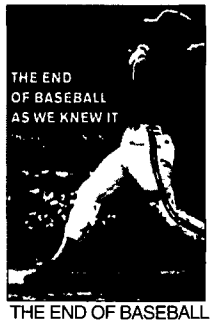
BRENDAN I. KOERNER *is a Markle fellow at the New America Foundation.*

Strike Won

By Alan Wirzbicki

CONVENTIONAL WISDOM HOLDS that America's national pastime is in danger of imminent collapse. Off the field, the sport's chronic labor problems threaten to alienate fans permanently. On the field, steroid-addled players care more about cashing their next paycheck than winning. Nothing is like it was in the old days, when baseball was truly special. Players don't hit home runs for hospitalized children, run out ground balls, or die of eponymous diseases. Hauntings of rural Midwestern cornfields are down precipitously. The magic is gone.

Charles Korr doesn't buy it. *The End of Baseball As We Knew It*, his history of the baseball players' union, is an alternative take on the national pastime's recent past, and required reading for anyone who's tempted to jump on the anti-union bandwagon in this latest round of labor trouble. Korr, who was granted access to the Major League Baseball Players Association's archives, chronicles the early years of the union that's largely responsible for today's professional sports landscape.



THE END OF BASEBALL AS WE KNEW IT:
The Players Union, 1960-81
by Charles P. Korr
University of Illinois Press, $34.95

For those of us who grew up with millionaire superstars, the bad old days of baseball that form the backdrop of this book seem almost unimaginable. During the sport's so-called Golden Age of the 1950s and '60s, players worked under degrading conditions imposed by the owners. Clubs kept salaries low, and punished players who asked for more. Some of the era's most famous players suffered heavy-handed treatment. In 1957, future Hall-of-Famer Mickey Mantle asked the New York Yankees for a raise after winning the American League Triple Crown. The team's general manager responded by threatening to show Mantle's wife a private detective's dossier on the outfielder's carousing nightlife if he didn't accept the team's offer. Mantle quickly caved. The 19th-century labor rules still in place in the '50s left him with few options: The infamous "reserve clause" in players' contracts forbade Mantle from seeking a better deal from another club. Black players suffered further humiliation during spring training, when many teams moved to segregated facilities in

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Florida. Players could be bought or sold on an owner's whim. Job security was nonexistent; baseball is a remorselessly meritocratic business, and every player knew an injury or a hot rookie could end his career overnight.

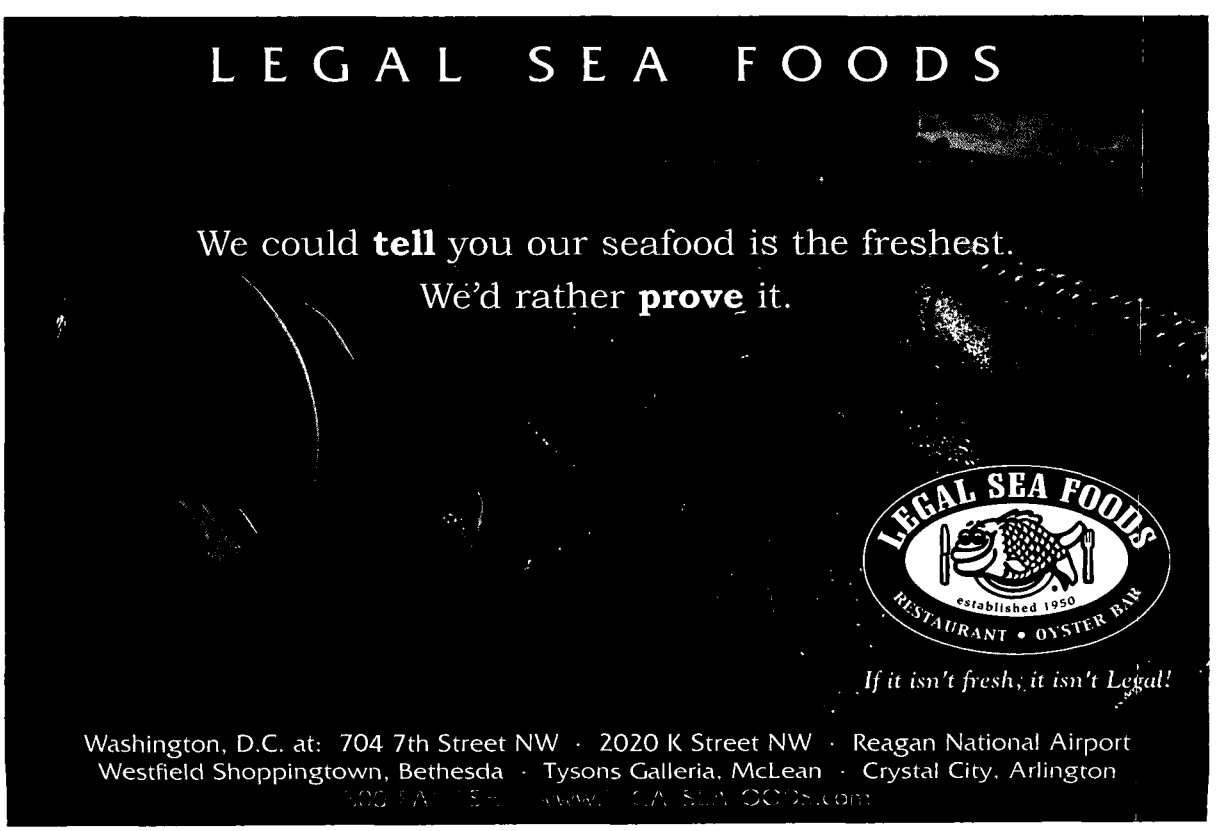
The hero of Korr's book is Marvin Miller, a young Steel Workers Union economist hired by the players in 1966 to play hardball with the owners. Miller was the union's first full-time director, and the first to violate a baseball taboo by using the word "union." Word of Miller's hiring scandalized the sports press. In one of the more entertaining parts of his book, Korr catalogues the insults hurled at Miller by baseball beat writers, one of whom characterized him as "Marvin Millerinski," a Bolshevik agent out to ruin America's national pastime.

Korr methodically chronicles the series of union victories through the '60s and '70s, including the abolition of the reserve clause and introduction of free agency. But Miller's most profound accomplishment was to change the way Americans think about sports. Fans and the press had a romantic image of their sports heroes as men who played for sheer love of the game (some still do). Korr sarcastically refers to this as the "aw, shucks, gee whiz, I'm so glad to be a major leaguer I'd pay to put on the uniform" stereotype. Miller quickly put an end to that. Depending on which reading of history you subscribe to, baseball either lost its innocence or finally grew up under Miller. The assertive players of his union insisted on controlling their own careers and getting a fair share of baseball's considerable profits.

Baseball owners have been fighting a losing battle ever since. In 1966, many of them were successful in other fields and owned a baseball team for prestige or for fun. Owners like Gussie Busch of the St. Louis Cardinals considered themselves patrons of an American folk art, rather than businessmen. This is a problem that continues to vex baseball management; some of the owners still have yet to decide whether they are "capitalists or hobbyists," as David Halberstam put it in a recent ESPN column. Meanwhile, capitalism has spread to the other American pro sports.

Korr's history ends before the current round of baseball turmoil, but the themes in the game's labor wars have stayed largely the same over three decades. Since its founding, the union has staked itself to the position that players ought to be paid what they're worth in an all-American free market. Owners have looked for ways to limit player salaries for just as long. It's hard to sympathize with millionaire baseball players, but harder still to sympathize with billionaire owners. As for the pessimistic predictions and yearning for the Golden Age that dominate today's sports pages, they're best thought of as an occupational hazard in an industry that trades on nostalgia, epitomized by quotes such as this one: "Players make too much money and become spoiled." That was in 1915.

ALAN WIRZBICKI *is a writer living in Connecticut.*



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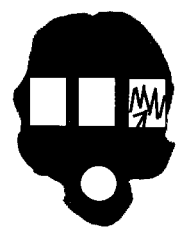

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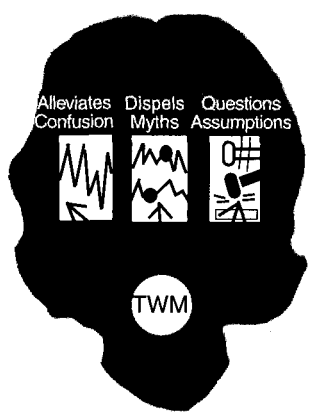

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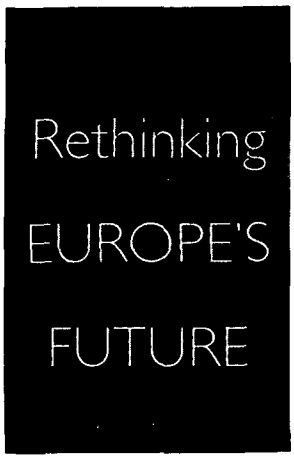

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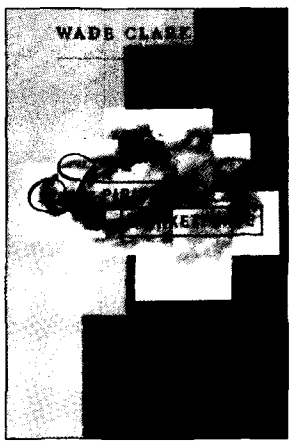

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